



CFN 20220352867

DR BK 33793 PG 1005
RECORDED 08/22/2022 09:43:34
Palm Beach County, Florida
Joseph Abruzzo, Clerk
Pgs 1005 - 1009; (5pgs)

Palm Beach County
Planning Zoning & Building
Code Enforcement Liens
2300 North Jog Road
West Palm Beach, FL 33411-2741
Acct. # 1019

CODE ENFORCEMENT SPECIAL MAGISTRATE
OF PALM BEACH COUNTY

CASE NO. C-2020-10080011

TO: H E R E LLC.
c/o Dion De Cesare, Reg Agt
3235 Embassy Dr
West Palm Beach, FL 33401-1023

CEO: Ray Leighton

ORDER IMPOSING FINE/LIEN

THIS CAUSE came for public hearing before the Code Enforcement Special Magistrate or Code Enforcement Board on June 9, 2021, after due notice, at which time the Code Enforcement Special Magistrate or Code Enforcement Board heard testimony under oath, received evidence, and issued its Findings of Fact, Conclusions of Law and Order, which was reduced to writing and furnished to H E R E LLC., c/o Dion De Cesare, Reg Agt . A copy of said Order is attached hereto.

Said Order required the respondent(s) to take certain corrective action by a specified date, as more specifically set forth in that Order dated June 9, 2021.

An Affidavit of Non-Compliance dated December 8, 2021 has been filed by the code inspector, which Affidavit certifies under oath that the required corrective action was not taken by the specified date as ordered.

Accordingly, it having been brought to the Code Enforcement Special Magistrate's attention that the respondents failed to comply by the date specified in said Order, it is hereby

ORDERED that H E R E LLC., c/o Dion De Cesare, Reg Agt pay to Palm Beach County a fine in the amount of \$100.00 per day for every day in violation past December 6, 2021 which is the compliance date set by said Order, for the property at 180 N Military Trl, West Palm Beach, FL property control number is 00-42-43-36-14-000-0690. This amount shall accrue interest at the maximum rate allowed by law.

A certified copy of this Order may be recorded in the public records of Palm Beach County, Florida, and shall thereafter constitute a lien against the above-described property, and upon any other real or personal property owned by the respondents pursuant to Sections 162.08 and 162.09, Florida Statutes, as may be amended and Article 10, Palm Beach County Unified Land Development Code. After three months from the filing of the lien, the County is authorized to foreclose the lien or pursue any other collection actions the County deems appropriate.

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DONE AND ORDERED this July 6, 2022, at
West Palm Beach, Palm Beach County, Florida

PALM BEACH COUNTY CODE ENFORCEMENT

By: [Signature]
Special Magistrate

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STATE OF FLORIDA
COUNTY OF PALM BEACH

Sworn to (or affirmed) and subscribed before me by means of physical presence, this 6
day of July, 2022 by Thomas Dougherty She is personally known to me
or has produced _____ as identification.

Elaine Rivas
Notary Public, State of Florida

My Commission Expires:
Commission No.



APPROVED AS TO FORM AND LEGAL SUFFICIENCY

[Signature]
ASSISTANT COUNTY ATTORNEY

I hereby certify that a true and correct copy of the foregoing Order has been
furnished to H E R E LLC., c/o Dion De Cesare, Reg Agt by U.S. Regular Mail this 27
day of July, 2022.

Elaine Rivas
Secretary

NOTE: If this lien is not satisfied within ninety (90) days of the date the lien is recorded, it
will be referred to the Office of Financial Management for referral to a collection agency.

cc: Palm Beach County Fire Rescue, c/o Faye Fornah
405 Pike Rd, West Palm Beach, FL 33411

I HERE BY CERTIFY THAT I AM SECRETARY TO THE CODE
ENFORCEMENT SPECIAL MAGISTRATE AND FURTHER
THAT THIS IS A TRUE AND CORRECT COPY OF THE CODE
ENFORCEMENT SPECIAL MAGISTRATE ORDER AND OR LIEN

_____ TO H.E.R.E. LLC

Elaine Rivas
SECRETARY
CODE ENFORCEMENT

ORDER
CODE ENFORCEMENT SPECIAL MAGISTRATE

TO: **H E R E LLC.**
c/o Dion De Cesare, Reg Agt
3235 Embassy Dr
West Palm Beach, FL 33401-1023

C-2020-10080011

RE: **1) 105.1 PBC Amendments to FBC 6th Edition (2017)**

1) Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit. More specifically, a 6' wood fence has been erected or installed without a valid building permit.

CEO: Ray Leighton

THIS CAUSE came for public hearing before the Code Enforcement Special Magistrate on **June 9, 2021** and the Special Magistrate having heard testimony under oath, from **Dion De Cesare**, received evidence and heard argument, enters the following Findings of Fact, Conclusions of Law and Order:

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FINDINGS OF FACT

1. Respondent, **H E R E LLC., c/o Dion De Cesare, Reg Agt** whose mailing address is **3235 Embassy Dr, West Palm Beach, FL 33401-1023** is the owner(s) or person(s) in charge of the property located at **180 N Military Trl, West Palm Beach, FL (00-42-43-36-14-000-0690)**.
2. Respondent(s) received notice of the code violations cited above and was given reasonable time to correct said violations. Respondent(s) failed to correct said violations within the allotted time.
3. At the time of hearing, the violations cited above **continued** to exist.
4. Palm Beach County incurred costs in the amount of **\$62.07** in successfully prosecuting this case.

CONCLUSIONS OF LAW

1. Respondent, by reason of the foregoing is in violation of the Codes as cited above, and is therefore subject to the provisions of Article 10 of the Palm Beach County Unified Land Development Code, under the authority of Chapter 162 of Florida Statutes, as may be amended.
2. Palm Beach County is entitled to recover all costs incurred in successfully prosecuting this action.

ORDER

Respondent(s) is (are) to correct the violations cited above on or before **December 6, 2021 (180 Days)**. In the event the violations cited above are not corrected on or before the compliance date, then and in that event there shall be a fine imposed against Respondent(s) in the amount of **\$100.00** for each day the violations continue to exist after the compliance date and shall accrue interest at the maximum rate allowed by law. Corrective action may include, but is not limited to, those methods set forth in the requirements for Correction Section of the Notice of Violation, which was properly served upon respondent as required by law. If a repeat violation has been committed, then and in that event there shall be fine imposed against Respondent(s) in the amount of n/a for each day the repeat violations continues, beginning with the date the repeat violation is found to have occurred by the code inspector. If a finding of violation or repeat violation has been made as provided in Section 162.09, Florida Statutes, a hearing shall not be necessary for issuance of the Order imposing such a fine.

Failure to comply on or before the compliance date may result in a lien being placed against the above described property, and upon any other real or personal property owned by the respondent(s) pursuant to Sections 162.08 and 162.09, Florida Statutes may be amended and Article 10, Palm Beach County Unified Land Development Code. After three months from the filing of the lien, the County is authorized to pursue any other collection actions the County deems appropriate.

THE BURDEN SHALL REST UPON RESPONDENT(S) TO REQUEST A REINSPECTION TO DETERMINE WHETHER THE VIOLATION OR REPEAT VIOLATION HAS BEEN BROUGHT INTO COMPLIANCE.

In addition to the daily fine set forth above, you are hereby ordered, pursuant to Article 10 of the Palm Beach County Unified Land Development Code and Chapter 162 of Florida Statutes, as may be amended, to pay costs to the County in the amount of **\$62.07**. This amount is due and owing within 30 days from the date of this Order.

A certified copy of this Order may be recorded in the public records of Palm Beach County, Florida, and shall thereafter constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property. The findings in this Order shall be binding upon Respondent(s) and, if the violation concerns real property, any subsequent purchasers, successors in interest, or assigns pursuant to Article 10 of the Palm Beach County Unified Land Development Code and Chapter 162 of Florida Statutes, as may be amended.

Respondent may appeal an order of the Special Magistrate to the Circuit Court of Palm Beach County. Such appeal shall be limited to appellate review of the record created before the Special Magistrate. Such appeal, if filed, shall be considered timely if it is filed within 30 days of the execution of the order being appealed.

DONE and ORDERED this 9TH day of June, 2021.


William Toohey, Special Magistrate

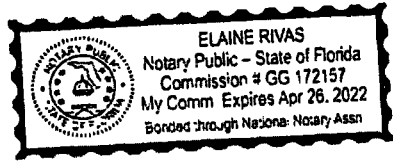
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STATE OF FLORIDA
COUNTY OF PALM BEACH

Sworn to (or affirmed) and subscribed before me by means of physical presence, this 9th
day of June, 2021 by William Tohey, (name of the
person making statement). He is personally known to me or has produced
_____ as identification.

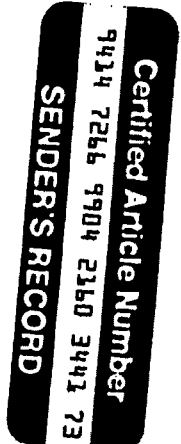
Elaine Rivas
Notary Public, State of Florida



I hereby certify that a true and correct copy of the foregoing order has been
furnished to H E R E LLC, c/o Dion De Cesare, Reg Agt by U.S. Regular / Certified Mail
this 17th day of June, 2021

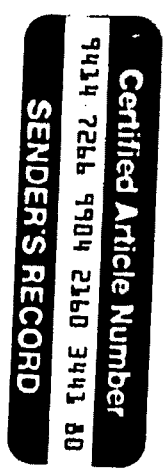
Elaine Rivas
Secretary

cc: Palm Beach County Fire Rescue, c/o Faye Fornah
405 Pike Rd, West Palm Beach, FL 33411



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THAT THIS IS A TRUE AND CORRECT COPY OF THE CODE
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Elaine Rivas
SECRETARY
CODE ENFORCEMENT



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