

MINUTES
CODE ENFORCEMENT SPECIAL MAGISTRATE MEETING
October 16, 2025
3000 Bellemead Drive Daytona Beach Shores, FL 32118

1. CALL TO ORDER

A. Opening Statements by Special Magistrate deLaroche
SM deLaroche called the meeting to order at 9:00 am.

B. Swearing in Witnesses
All witnesses were sworn in for the day's hearings.

2. OPENING REMARKS

A. Notification of Items Removed from Agenda by City Staff
There were no items removed from the agenda.

3. MINUTES

A. Code Enforcement Special Magistrate Minutes September 18, 2025
The SM approved the minutes of September 18, 2025.

4. ADVANCED HEARINGS (Post-Initial Hearings)

A. Property Owner: JK Daytona, LLC
Violation Address: 2225 S. Atlantic Ave. in Daytona Beach Shores, Florida
Code Enforcement Case #: FCDEF2024-42
Volusia County Tax Parcel ID #: 5315 02 02 0010

Ms. Herstein requested that each of the documents included in the PowerPoint file, whether presented during the hearing or not, by the City for this case be accepted as evidence, most of which have been provided to the Special Magistrate and all of which have been presented to the Respondent or their rep. The Special Magistrate accepted the documents with no objection. This was a Second Compliance Hearing. The Initial Hearing was held on January 16, 2025, when the property was found to be in violation. Two compliance dates were set. The first was on February 18, 2025, to restore the inoperable fire alarm system, including permits and inspections. The second date was July 16, 2025, to restore the inoperable fire sprinkler system with permits and inspections. The property was re-inspected on Feb. 19th and the property was still non-compliant. The property came before the SM on June 19th for a First Compliance Hearing for the February due date and was found to remain non-compliant. Fines were imposed at that time. The July date passed with no inspection due for the property. On July 25th, the property passed all final inspections and was deemed in compliance. There were a total of 133 non-compliant days for a total due of \$33,250.00. The previous Administrative Fees are also still due in the amount of \$242.82. Staff requested additional Administrative Fees for the day's hearing of \$141.83. The total due is \$384.65. Ms. Herstein noted that the representatives submitted 27 pages that were included in the packet. Attorney Rob Merrill and Attorney Alanna Smith were present to represent the Respondent and

offered a stipulation to accept the city's testimony. The stipulation was accepted by the city, but Ms. Herstein requested to call one witness. She questioned LT. Norman Medders about the accuracy of the documents and slides shown and the events presented. He replied they were true and accurate. He stated that he had reviewed all the documents, and they were also true and accurate. There were no changes or additions. Lt. Medders noted that he had been told that the fire watch logs had been falsified by a front desk employee for at least one week. The hotel employees were doing the fire watch on certain floors, not the third-party agency. Attorney Merrill asked if he had any knowledge of his client knowing that one of the floors was being monitored by a hotel employee and not the hired firm. Lt. Medders was not aware of who had that knowledge. Ms. Herstein inquired who sent Lt. Medders the fire logs, and he replied the third party company itself. Ms. Herstein requested either Order 12 or 13 be issued at the Special Magistrates' discretion, along with full payment of the Administrative Fees.

Attorney Rob Merrill explained that the new property owner originally hired the wrong company to do the rehabilitation work. The 27 pages had been previously submitted into evidence and provided a timeline for the SM's consideration to reduce the number of non-compliance days from 133 to 50. This would reduce the fine from \$33,250 to \$12,500. The SM asked the General Manager, Shamila Mohamed, why tolerate having only one technician available each day to work. She replied that the company provided many excuses for not having enough employees. The verbal agreement with the company included their deadline, but at that point it was too late to hire another firm.

SM Delaroche issued Order #13 finding that the property is compliant at this time, but the Respondent did not comply with the code enforcement order of January 16, 2025, by the date specified in that order, but brought the property into full compliance on July 25, 2025. Based on the factor that the property hired multiple companies to check the work being done, he reduced the fine by 83 days and the reduced fine amount due is \$12,500. He also ordered reimbursement of the total Administrative Fees due in the amount of \$384.65, payable in seven days.

- B. Property Owner: Ocean Court Holdings, LLC
Violation Address: 2315 S. Atlantic Avenue in Daytona Beach Shores, Florida
Code Enforcement Case #: SCDEF2023-36
Volusia County Tax Parcel ID #: 5322 03 01 0110

Ms. Herstein requested that each of the documents included in the PowerPoint file, whether presented during the hearing or not, by the City for this case be accepted as evidence, most of which have been provided to the Special Magistrate and all of which have been presented to the Respondent or their rep. The Special Magistrate accepted the documents with no objection. This was a First Compliance hearing with the Initial Hearing on January 16, 2025. At that time, there were six violations. At this time, only two violations have become compliant. Violations a, b, e and f are still outstanding. Slides were shown of the property and the various violations. Ms. Herstein questioned Chief Building Official Steve Edmunds about the accuracy of the documents and slides shown and events presented. He replied they were true and accurate. The events presented were also to his recollection. He added that at the time of the failed inspection, issues were noticed. The construction was complete, so staff definitely needs to have an engineer state the work is up to code before any final inspection can occur. Staff requested Order #11 finding the property not compliant by July 16, 2025, and imposing a fine in the amount of \$250 per day. Additional Administrative Fees in the amount of \$141.83 were requested for the day's hearing.

Donna Jollimore, Corporate Director of Hotel Operations, spoke on behalf of the property. She explained that they had a misunderstanding when the seawall permit was extended to March 2026. They thought the time to correct the violation would also be extended. The Special Magistrate thanked her for being there, and explained that this information would be used at the Second Compliance Hearing.

SM deLaroche issued Order #11 finding that the Respondent failed to gain compliance and imposed a fine beginning and including July 17, 2025, and accruing daily in the amount of \$250 until full compliance with said order is achieved. He ordered reimbursement of additional Administrative Fees in the amount of \$141.83 payable in 30 days.

5. INITIAL HEARINGS

- A. Property Owner: OC 3711, LLC
Violation Address: 3711 S. Atlantic Ave. in Daytona Beach Shores, Florida
Code Enforcement Case #: 25-0009
Volusia County Tax Parcel ID #: 6302 0505 0070

Mr. Rondi requested that each of the documents included in the PowerPoint file, whether presented during the hearing or not, by the City for this case be accepted as evidence, most of which have been provided to the Special Magistrate and all of which have been presented to the Respondent or their rep. The Special Magistrate accepted the documents with no objection. Staff was made aware of several issues on the property by a resident of the neighboring condominium. The President of the COA, Kristen Nagrani, called to report problems with sand and other debris blowing onto their property. After receiving the notification, Mr. Rondi visited the property on August 7, 2025. There were fourteen violations identified and the Notice of Violation was sent by Certified Mail. Good service was achieved. Slides were shown of the violations, and it was noted that three of them came into compliance. The property was reinspected on September 11th and eleven violations remained. Mr. Rondi questioned Chief Building Official Steve Edmunds about the accuracy of the documents and slides shown and events presented. He replied they were true and accurate. Mr. Edmunds explained that in the State of Florida, any building over three stories requires an engineering report for all construction work and inspections. That has not been provided to the city. He is concerned regarding the concrete repair work on the building itself and the balconies because pieces are falling to the ground. A permit is required for this work ASAP. The SM inquired about the numerous cracks seen all over the building and if it was safe or could it fall down. Mr. Edmunds stated that he hadn't been inside and that is why it is so important to obtain engineer reports for threshold inspections. Mr. Rondi called Ms. Nagrani as a witness. She stated the issues with the property had been happening for the past three years. The owner just recently began the construction work. It was her opinion that the property was unsightly and was affecting real estate sales within her building.

The property owner, Pinhas Mamaan, began by explaining that he hired a contractor to work on the interior of the fifth floor. When he came to inspect their work, he saw them chipping the concrete off the balconies and he stopped them. He had to sue his insurance company for payment from the past hurricane damage and still has not been paid anything yet.

Mr. Rondi requested an Order #7 be issued with the repairs completed by January 14, 2026. Mr. Mamaan explained that obtaining an engineer could take longer and requested an additional thirty days.

The Special Magistrate issued Order #7 as provided, requesting an engineer report by November 20, 2025, and allowing until February 14, 2026, to correct the violations, including obtaining approved final inspections on all required permits or a fine of \$250 per day will be imposed. The Administrative Fee of \$149.09 is due within 30 days.

6. CLOSING REMARKS

- A. November/December C.E.S.M. Meeting is scheduled for Thursday, December 4, 2025, at 9:00 a.m.

B. January's C.E.S.M. Meeting is scheduled for Thursday, January 15, 2026, at 9:00 a.m.

C. February's C.E.S.M. Meeting is scheduled for Thursday, February 19, 2026, at 9:00 a.m.

7. SPECIAL MAGISTRATE COMMENTS

8. ADJOURNMENT

The meeting ended at 10:27 am.

Special Magistrate, Steven deLaroche

Recording Secretary, Cheri Schwab