

(R) Rm 462  
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BEFORE THE SPECIAL MASTER  
IN AND FOR HERNANDO COUNTY, FLORIDA

HERNANDO COUNTY  
DEVELOPMENT DEPARTMENT,  
Plaintiff,

vs.

Case No. 334030  
336045

SYLVESTER & WILLIAMS REAL ESTATE LLC,  
Defendant.

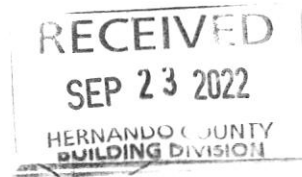
SPECIAL MASTER'S ORDER

THIS MATTER came before the Special Master for hearing on October 3, 2018, after notice to the Defendant, on Citations #BD-6131 (case 334030) and #BD-6133 (case 336045) issued by the Plaintiff, HERNANDO COUNTY DEVELOPMENT DEPARTMENT, CONTRACTOR CERTIFICATION DIVISION, 789 Providence Blvd., Brooksville, Florida 34601, to the Defendant, SYLVESTER & WILLIAMS REAL ESTATE LLC, 3256 Turtle St., Dade City, FL 33523. The citations, with the date and time of the hearing inscribed thereon, were mailed to the Defendant by certified mail, return receipt requested, and were subsequently posted at the Defendant's address, 3256 Turtle St., Dade City, FL 33523 and at the Hernando County Courthouse. The Defendant, being duly informed and advised, failed to appear for the hearing. The Plaintiff was represented by JON JOUBEN, ESQ., Deputy County Attorney. Proceedings were had in the absence of the Defendant.

The Special Master heard the testimony of Hernando County Field Investigator, JANE BROWN.

Upon **CONSIDERATION**, the Special Master finds as follows:

A. Upon testimony and evidence presented, Hernando County Building Department Investigator, Jane Brown, testified that on April 26, 2018 she was in the neighborhood of the Defendant's property located at 3256 Turtle St., Dade City, Hernando County, Florida and observed that work had taken place on the house located at this address. Investigator Brown obtained a photograph of the property from the Hernando County Property Appraiser's site dated August 10, 2016. On April 26 a new window had been installed where glass sliding door were previously located, a double front door was now a single door, a new roof and shingles were installed. Investigator Brown posted a stop work order on the front door. On April 27, 2018 Jessica Williams spoke with supervisor, Mike Miller, who advised that permits were required and a licensed contractor would need to be hired since this property was owned by an LLC and it was not eligible for an owner/builder permit. On July 9, 2018 Investigator Brown returned and posted a Notice of Violation and re-posted the stop work order. On August 13, 2018 citations were posted on the property. The stop work order was gone. Mr. Miller noted to the file that Jessica Williams admitted to him that she did not know if



the people she hired to work on the property were licensed contractors.

**UPON THESE FINDINGS, it is therefore ORDERED:**

1. Regarding Citation #BD-6131 and the charge of commencing or performing work for which a building permit is required by local law without such permit being in effect at 3256 Turtle St., Dade City, Hernando County, Florida, the Defendant, SYLVESTER & WILLIAMS REAL ESTATE LLC, is found GUILTY of the cited violation, in violation of Chapter 8, Article II, Section 8-46(5)(i), Hernando County Code of Ordinances.

a) The Defendant shall pay a civil penalty in the amount of \$500.00, payable to the Hernando County Development Department, 789 Providence Blvd., Brooksville, Florida 34601, pursuant to Chapter 8, Article 2, Section 8-48(15) of the Hernando County Code of Ordinances.

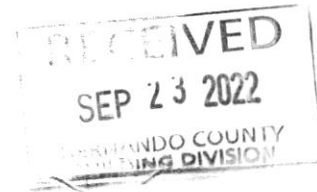
b) That pursuant to authority granted by Chapter 2, Article III, Section 2-54(k) of the Hernando County Code of Ordinances and Section 162.09(2)(d), Florida Statutes, the Defendant is hereby ordered to pay administrative costs on behalf of the Hernando County Building Department in the amount of \$189.84 and on behalf of the County Attorney in the amount of \$70.00.

2. Regarding Citation #BD-6133 and the charge of knowingly hiring or performing work by a person who is not duly certified, licensed or registered, for work performed at 3256 Turtle St., Dade City, Hernando County, Florida, the Defendant, SYLVESTER & WILLIAMS REAL ESTATE LLC, is found GUILTY of the cited violation, in violation of Chapter 8, Article II, Section 8-46(5)(k), Hernando County Code of Ordinances.

a) The Defendant shall pay a civil penalty in the amount of \$500.00, payable to the Hernando County Development Department, 789 Providence Blvd., Brooksville, Florida 34601, pursuant to Chapter 8, Article 2, Section 8-48(15) of the Hernando County Code of Ordinances.

b) That pursuant to authority granted by Chapter 2, Article III, Section 2-54(k) of the Hernando County Code of Ordinances and Section 162.09(2)(d), Florida Statutes, the Defendant is hereby ordered to pay administrative costs on behalf of the Hernando County Building Department in the amount of \$189.84, on behalf of the County Attorney in the amount of \$70.00, and mail costs in the amount of \$20.90.

3. The total of penalties and costs due and payable to the Plaintiff, Hernando County Development Department, 789 Providence Blvd., Brooksville, Florida 34601 is \$1,540.58. This order shall bear interest at the legal rate established pursuant to Section 55.01, Florida Statutes, beginning 30 days after the clerk signs this order, FOR WHICH LET EXECUTION NOW ISSUE. In the event that this Special Master's Order is recorded in the public records pursuant to paragraph 4, herein, Hernando County shall be entitled to collect for their actual costs of recording this Order and a Satisfaction, which additional costs shall be added to the total of penalties and costs stated herein.




4. If the Defendant fails to comply with this Order within 30 days, pursuant to Chapter 8, Article 2, Section 8-49(1)(a) of the Hernando County Code of Ordinances, this Order shall be recorded in the public records of Hernando County, Florida and wherever else the Defendant may live or own property and thereafter shall constitute a lien against real and personal property owned by the Defendant.

**REQUESTS FOR FURTHER REVIEW** shall be addressed as follows:

An aggrieved party, including the local governing body, may appeal a decision of the Special Master to the Circuit Court. Such appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the Special Master. An appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

**YOU ARE FURTHER** advised that if you decide to seek further review of any decision made by the Special Master with respect to any matter considered at such hearing, you will need a record of the proceedings, and that, 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 further review is to be based. Production of verbatim transcripts shall be the responsibility and at the personal expense of the party seeking review of the Special Master's Order.

DONE AND ORDERED at Brooksville, Hernando County, Florida this 5<sup>th</sup> day of October, 2018.

  
KENNETH L. WARNSTADT  
Special Master

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Special Master's Order has been sent by Regular U.S. Mail and certified mail, return receipt requested to SYLVESTER & WILLIAMS REAL ESTATE LLC, 3256 Turtle St., Dade City, FL 33523 and by Courthouse Mail to Hernando County Development Dept., Contractor Certification Division, 789 Providence Blvd., Brooksville, Florida 34601 on October 8, 2018.

Pursuant to Section 119.07, Florida Statutes, as amended from time to time, as Record Custodian for this document, I hereby certify that this is a true and correct copy of the original document on file.

  
Clerk to Special Master

Record Custodian: Irene T. Tencza  
Print Name: Irene T. Tencza Date: 12-3-2018  
Hernando County Government, Brooksville, FL  
Department/Office: County Attorney's Office