

BEFORE THE SPECIAL MASTER
IN AND FOR HERNANDO COUNTY, FLORIDA

INSTR #2017008084 BK: 3438 PG: 1732 Page 1 of 3
FILED & RECORDED 2/13/2017 11:08 AM TT Deputy Clk
Don Barbee Jr, HERNANDO County Clerk of the Circuit Court
Rec Fees: \$27.00

3/2
HERNANDO COUNTY
DEVELOPMENT DEPARTMENT,
Plaintiff,

vs.

Case No. 313234

ADA MATOS,
Defendant.

SPECIAL MASTER'S ORDER

THIS MATTER came before the Special Master for hearing on December 7, 2016, after notice to the Defendant, on Citation #BD-5675 issued by the Plaintiff, HERNANDO COUNTY DEVELOPMENT DEPARTMENT, CONTRACTOR CERTIFICATION DIVISION, 789 Providence Blvd., Brooksville, Florida 34601, to the Defendant, ADA MATOS, 8430 Madrid Rd., Weeki Wachee, FL 34613. The citation was mailed to the Defendant by certified mail, return receipt requested and was signed for at the Defendant's address. The Defendant, being duly informed and advised, failed to appear for the hearing. The Plaintiff was represented by GARTH C. COLLIER, ESQ., Hernando County Attorney. Proceedings were had in the absence of the Defendant.

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

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

A. Upon testimony and evidence presented, by the testimony of Hernando County Building Department Contractor Licensing Investigator, Jane Brown, on March 5, 2015 Investigator Brown received an anonymous telephone call regarding the conversion of a garage to living area four years prior and of a room addition at the rear of the house at 8430 Madrid Rd., Weeki Wachee, Hernando County, Florida. On March 6, 2015 Investigator Brown inspected the rear of the Defendant's house from property off of a utility easement. Investigator Brown testified that it was clear there was a rear room addition to the house from converting and enclosing a porch. On September 15, 2015 Investigator Brown gained access to the inside of the dwelling. She looked at the garage conversion and the porch conversion. Regarding the porch it was apparent that electricity had been added; there were electrical outlets and ceiling fans in the room. The garage area was dark and Investigator Brown was unable to determine if there had been electrical work but walls had been petitioned. Investigator Brown testified that the Defendant contacted a drafting company who would only draw plans for the garage conversion. They would not draw "as built" plans for the porch. Investigator Brown testified that the Defendant was unclear about who did the work but he was paid in cash.



Officer Brown testified that she has tried to work with the Defendant but there has now been no further action taken to bring this matter into compliance.

UPON THESE FINDINGS, it is therefore ORDERED:

1. Regarding Citation #BD-5675 and the charge of commencing or performing work for which a building permit is required by state or local law without such permit being in effect, to wit: Conversion of a garage and porch to living space on property located at 8430 Madrid Rd., Weeki Wachee, Hernando County, Florida, the Defendant, ADA MATOS 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) The Defendant is hereby granted 72 hours to have a licensed electrician disconnect all electricity from the porch conversion and any electrical service added to the garage. In the event the Defendant fails to have this electrical service disconnected the Hernando County Building Department shall cause the Defendant's electric meter to be pulled and all electrical service disconnected to the entire house.

2. 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 investigative and administrative costs on behalf of the Development Department in the amount of \$189.84, on behalf of the County Attorney in the amount of \$60.00, and mail costs in the amount of \$26.29, payable to the Hernando County Development Department.

3. **The total of penalties and costs due and payable to the Plaintiff, Hernando County Development Department, 789 Providence Blvd., Brooksville, Florida 34601 is \$776.13. 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.

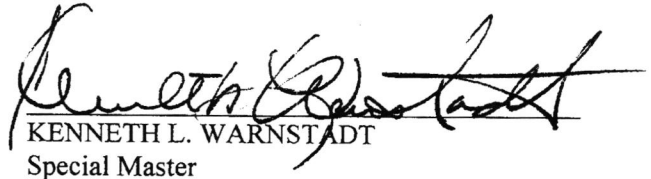
REQUESTS FOR FURTHER REVIEW shall be addressed as follows:

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.

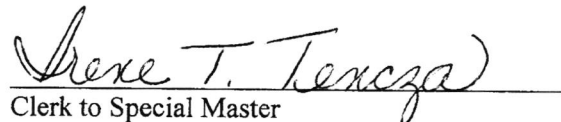
DONE AND ORDERED at Brooksville, Hernando County, Florida this 9th day of December, 2016.


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 ADA MATOS 8430 Madrid Rd., Weeki Wachee, FL 34613 and by Courthouse Mail to Hernando County Development Dept., Contractor Certification Division, 789 Providence Blvd., Brooksville, Florida 34601 on December, 9, 2016.

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: 2-3-2017
Hernando County Government, Brooksville, FL
Department/Office: County Attorney's Office