

**PINELLAS COUNTY
CODE ENFORCEMENT SPECIAL MAGISTRATE**

Pinellas County,
Petitioner,

vs.

CASE NUMBER: CCM-23-00065

Shah St. Petersburg Holdings LLC
9854 84th St N
Largo, FL 33777,
Respondent(s).

_____ /

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

The Special Magistrate was created pursuant to Chapter 162, Florida Statutes and Chapter 2, Article VIII, Pinellas County Code. The purpose of the Special Magistrate is to conduct hearings and issue Orders having the force of the law to command whatever steps are necessary to bring a violation into compliance. The Special Magistrate may also impose fines and other non-criminal penalties to provide an equitable, expeditious, effective method of enforcing the Pinellas County Code.

YOU ARE HEREBY FORMALLY NOTIFIED that on **February 12, 2024 at 9:00 a.m.**, there will be a Special Magistrate Hearing held at:

**Pinellas County Board of County Commissioners Assembly Room
5th Floor
315 Court St.
Clearwater, Florida 33756**

concerning your property located at 3925 Mohr Ave, Largo, FL 33714 and it's violation(s) of the Pinellas County Code, and Motion to Initiate Demolition and the September 11, 2023 Order Assessing an Administrative Fine Until Compliance is Achieved.

YOU ARE HEREBY ORDERED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case. Failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you. If you will be providing any evidence to the Special Magistrate, bring two copies to your hearing. All documents provided are subject to the Public Records law.

Should you be found in violation of any section of the Pinellas County Code, the Special Magistrate has the power, by law, to levy fines of up to \$1,000 per day against your property for every day that each violation continues beyond the date set by the Special Magistrate for compliance. If the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the Special Magistrate even if the violation has been corrected prior to the Special Magistrate hearing, pursuant to section 162.06(2), Florida Statutes.

Any violation of the same code by Respondent(s) within 365 days from the date an Order is imposed shall be treated as a repeat violation. As a repeat violation, the Special Magistrate may impose a fine of up to \$5,000 per day. Cases involving repeat violations may be presented to the Special Magistrate even if the repeat violation has been corrected prior to the Special Magistrate hearing. If the repeat violation has been corrected, the Special Magistrate retains the right to determine costs and impose the payment of reasonable enforcement fees.

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate. You also have the right to present witnesses, as well as question the witnesses testifying against you at this Hearing. Please be prepared to present evidence at the Special Magistrate Hearing concerning the amount of time necessary to correct the alleged violation(s), should you be found in violation of the Pinellas County Code.

If you wish to have any witnesses subpoenaed, or if you have any other questions, please contact the office of the Special Magistrate Administrative Division within five (5) business days, at (727) 464-4761.

Pinellas County complies with all federal, state and local laws which relate to persons with disabilities (including, but not limited to the ADA, as amended, Section 504 of the Rehabilitation Act of 1973, and the Florida Civil Rights Act). Requests for reasonable accommodations for persons with disabilities and translation services can be made available at the hearing upon written request and notice from the respondent. If you wish to have an interpreter or need accommodations, please contact the office of the Special Magistrate Administrative Division within five (5) business days, at (727) 464-4761.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Jeffrey Lorick, ADA Coordinator, Pinellas County Human Rights Office, 400 S. Ft. Harrison Avenue, Suite 300, Clearwater, Florida 34616, (727)464-4062 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED this 31 day of January, 2024.

Shah St. Petersburg Holdings LLC
9854 84th St
Largo, FL 33777

Shah, Ashok, Registered Agent of
Shah St. Petersburg Holdings LLC
9854 84th St
Largo, FL 33777

CCM-23-00065

Shah, Ashok, Managing Member of
Shah St. Petersburg Holdings LLC
9854 84th St
Largo, FL 33777

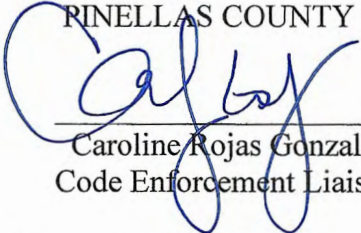
Shah, Ashok, Manager of
Shah St. Petersburg Holdings LLC
9854 84th St
Largo, FL 33777

Level 13 Asset Management LLC (Interested Party)
11443 Challenger Ave
Odessa, FL 33556

Level 13 Asset Management LLC (Interested Party)
PO Box 1108
Odessa, FL 33556

Mills, Edward W, Jr., Registered Agent for
Level 13 Asset Management LLC (Interested Party)
11443 Challenger Ave
Odessa, FL 33556

Pinellas County – Code Enforcement Division
631 Chestnut Street
Clearwater, FL 33756

PINELLAS COUNTY

Caroline Rojas Gonzalez
Code Enforcement Liaison

ADVICE TO THE PUBLIC: Any party wishing to appeal a decision made with respect to any matter considered at the above Special Magistrate Hearing, will need a verbatim record of the proceedings, including the testimony and evidence, which record is not provided by Pinellas County.

BEFORE PINELLAS COUNTY CODE ENFORCEMENT
SPECIAL MAGISTRATE
CASE NUMBER: CCM-23-00065

Pinellas County,
Petitioner,

vs.

Shah St. Petersburg Holdings LLC
9854 84th St N
Largo, FL 33777,
Respondent(s).

**ORDER ASSESSING AN ADMINISTRATIVE FINE UNTIL COMPLIANCE IS
ACHIEVED**

This case was heard before the Special Magistrate on September 11, 2023. The Petitioner, Pinellas County, appeared and was represented by F. Piland, Special Magistrate Officer of Pinellas County Code Enforcement Division. Respondent(s), Shah St Petersburg Holdings LLC, did not appear.

Findings of Fact

Based upon the evidence and sworn testimony received, the Special Magistrate finds that:

The property located 3925 Mohr Ave, St. Petersburg, FL 33714 ("Property") contains the deficiencies as listed in the Affidavit of Violation and Request for Hearing dated August 18, 2023 and each is herein incorporated by reference.

Respondent(s), Shah St Petersburg Holdings LLC, is/are the Owner(s) of record of the Property. Parcel ID: 03-31-16-98226-000-0080.

1. Notice was mailed to the Respondent(s) on August 31, 2023, at the address listed in the Tax Collector's office for tax notices or the Property Appraiser's database.

2. An initial inspection on July 20, 2023 revealed violation(s) existed. As of August 31, 2023, the violation(s) still existed.
3. Previous notification of the aforementioned deficiencies were given as supported by the evidence received by this Special Magistrate.
4. The Petitioner incurred costs for the prosecution of this case in the amount of \$278.40.

Conclusion of Law

5. The Special Magistrate concludes that the Property continues to be in violation of the Pinellas County Ordinance Code provision(s) 22-278; 22-280; 22-299; 58-304; 138-3507; 138-3703 despite prior notification and opportunity to cure afforded to the Respondent(s).
6. The Petitioner prevailed in the prosecution of this case and, pursuant to Section 2-623(g) of the Pinellas County Code, is entitled to recover all costs and expenses incurred.

Order

It is therefore adjudged as follows:

7. The Respondent(s) shall correct the violations on the aforementioned Property and come into compliance on or before 5:00 P.M. on October 11, 2023 or suffer an administrative fine in the amount of \$250.00 per day for each violation of the Pinellas County Code, Section 22-278 (Minimum Housing), for each day thereafter that the violation(s) continue to exist.
8. The Respondent(s) shall correct the violations on the aforementioned Property and come into compliance on or before 5:00 P.M. on October 11, 2023 or suffer an administrative fine in the amount of \$250.00 per day for each violation of the Pinellas County Code, Section 22-280 (Minimum Housing), for each day thereafter that the violation(s) continue to exist.
9. The Respondent(s) shall correct the violations on the aforementioned Property and come into compliance on or before 5:00 P.M. on October 11, 2023 or suffer an

administrative fine in the amount of \$250.00 per day for each violation of the Pinellas County Code, Section 22-299 (Minimum Housing), for each day thereafter that the violation(s) continue to exist.

10. The Respondent(s) shall correct the violations on the aforementioned Property and come into compliance on or before 5:00 P.M. on October 11, 2023 or suffer an administrative fine in the amount of \$250.00 per day for each violation of the Pinellas County Code, Section 58-304 (Trash and Debris), for each day thereafter that the violation(s) continue to exist.
11. The Respondent(s) shall correct the violations on the aforementioned Property and come into compliance on or before 5:00 P.M. on October 11, 2023 or suffer an administrative fine in the amount of \$250.00 per day for each violation of the Pinellas County Code, Section 138-3507 (Zoning), for each day thereafter that the violation(s) continue to exist.
12. The Respondent(s) shall correct the violations on the aforementioned Property and come into compliance on or before 5:00 P.M. on October 11, 2023 or suffer an administrative fine in the amount of \$250.00 per day for each violation of the Pinellas County Code, Section 138-3703 (Zoning), for each day thereafter that the violation(s) continue to exist.
13. Separate and distinct from the fine amounts due, the Respondent(s) shall pay the Petitioner's costs incurred in the prosecution of this case in the amount of \$278.40. These costs shall be paid within thirty (30) days of this order.
14. The Respondent(s) must notify Pinellas County Code Enforcement Division at (727) 464-4761 when the property is in compliance of all violations to stop the accrual of the daily fines. Respondent(s) will allow full access to the violation property for an inspection to verify all violations have been corrected and if so an Affidavit of Compliance will be filed to stop the daily fine.
15. If the Pinellas County Housing Official determines that the property is unsafe and unfit for human habitation, the property may be condemned. Pursuant to Section(s) 22-278 through 22-280, if the property is deemed an extreme hazard, the Housing Official may take or require immediate corrective action. The terminology "to correct" includes, but is not limited to, action taken to alter, upgrade, secure, repair, remodel or demolish any unsafe building. The costs incurred shall be

charged to the owner and shall constitute a lien upon the property and shall be collected in the manner provided by law.

16. Either party may Petition the Magistrate to reconsider or rehear any Order resulting from a public hearing. The petition must be made in writing and filed with Pinellas County Code Enforcement Division (see mailing address listed below), no later than thirty (30) days after the execution of the Order and prior to the filing of any appeal. The only grounds for a Petition to Reconsider or Rehear are that there is newly discovered relevant evidence that was not available and known to the aggrieved party at the time of the public hearing, or that the Special Magistrate made a mistake in determination of a relevant fact. The Special Magistrate will not hear oral argument or evidence in determining whether to grant the Petition to Reconsider or Rehear.
17. Upon the Respondent's failure to timely comply or pay the appropriate fine for any untimely compliance, or pay the amount toward costs and expenses as set forth above, and after thirty (30) days referenced above, the Petitioner shall send the Respondent(s) an Affidavit of Noncompliance by certified mail, return receipt requested.
18. If the Respondent(s) fail to file a written objection within twenty (20) days from the date of mailing the Affidavit of Noncompliance, the Respondent(s) shall be deemed to acknowledge the noncompliance with the Order. The objection must be made in writing and filed with Pinellas County Code Enforcement Division (see mailing address listed below).
19. Thereafter, a certified copy of this Order shall be recorded in the Official Records of the Clerk of the Circuit Court for Pinellas County, Florida, and once recorded shall constitute a lien against any real or personal property owned by the Respondent(s), pursuant to Chapter 162, Florida Statutes.

Appeals: Any aggrieved party may appeal this order to the Circuit Court. An appeal must be filed within thirty (30) days of the execution of this order.

CCM-23-00065

DONE AND ORDERED this 11th day of September, 2023.

By 
Jeffrey R Fuller, Special Magistrate

I hereby certify that a copy of the foregoing Order directing the Respondent to correct the violations of the Pinellas County Ordinance Code and assessing a fine until compliance is achieved was mailed to:

Shah St. Petersburg Holdings LLC
9854 84th St
Largo, FL 33777

Shah, Ashok, Registered Agent of
Shah St. Petersburg Holdings LLC
9854 84th St
Largo, FL 33777

Shah, Ashok, Managing Member of
Shah St. Petersburg Holdings LLC
9854 84th St
Largo, FL 33777

Shah, Ashok, Manager of
Shah St. Petersburg Holdings LLC
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Level 13 Asset Management LLC (Interested Party)
11443 Challenger Ave
Odessa, FL 33556

Level 13 Asset Management LLC (Interested Party)
PO Box 1108
Odessa, FL 33556

CCM-23-00065

Mills, Edward W, Jr, Registered Agent for
Level 13 Asset Management LLC (Interested Party)
11443 Challenger Ave
Odessa, FL 33556

Pinellas County
Code Enforcement Division (CED)
631 Chestnut Street
Clearwater, FL 33756



Caroline Rojas Gonzalez
Code Enforcement Liaison

NOTICE

Administrative fines, costs and expenses shall be paid by certified check or money order payable to Board of County Commissioners, and mailed to Special Magistrate Administrative Division, 631 Chestnut Street, Suite B, Clearwater, Florida 33756. Any amounts not paid may be enforced in the same manner as a court judgment.