

# MIN

## **Sec. 105-289. Floors, walls, ceilings and roofs.**

Floors, walls, ceilings and roofs of every structure used for human habitation shall be structurally sound, and maintained in a clean and sanitary condition. They shall be free from cracks, breaks, loose plaster and similar conditions so serious as to endanger the safety of occupants or to seriously mar the attractiveness of the premises.

*(Code 1958, § 16A-36; Code 1991, § 12-178; Ord. No. 2013-07, § 2, 5-28-2013)*



# MIN – Coral Gables City Code

- **Sec. 105-146. - Purpose.**

The purpose of this article is to protect the public health, safety, morals and welfare of the people of the city by establishing minimum standards governing the condition, occupancy, and maintenance of dwellings, dwelling units, rooming houses, rooming units and premises; establishing minimum standards governing utilities, facilities, and other physical components and conditions essential to make dwellings, dwelling units, rooming houses, rooming units, and premises safe, sanitary, and fit for human habitation; fixing certain responsibilities and duties of owners, operators, agents and occupants of dwellings, and dwelling units, rooming houses, and rooming units, and the condemnation and vacating of those dwellings, dwelling units, rooming houses, and rooming units unfit for human habitation; and fixing penalties for violation of any of the provisions of this article; and to authorize the charging of a fee for the issuance of a certificate of occupancy. This article is hereby declared to be remedial and essential to the public interest, and it is intended that this article be liberally construed to effectuate the purposes as stated above

- **Sec. 105-147. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Accessory use* means a structure, the use of which is incidental to that of the main building, and which is attached thereto or located on the same premises.

*Approved* means approved by the head of the code enforcement agency.

*Bathroom* means a room containing one or more bathtubs, showers, or both, a toilet and lavatory.

*Building* means a structure that encloses space; a structure that gives protection or shelter for any occupancy. The term "building" shall be construed as if followed by the phrase "or part thereof."

*Code enforcement agency* means the department of building and zoning of the city.

*Director* means the director of the building and zoning department.

*Dwelling* means a building occupied exclusively for residential purposes and consisting of not more than one housekeeping unit used for cooking, living or sleeping purposes. The word "dwelling" shall be deemed to include dwellings, dwelling duplex, dwelling multiple, dwelling units, rooming houses, rooming units and premises.

*Dwelling duplex* means a building arranged, designed or used to house not more than two dwelling units.

*Dwelling multiple* means a building arranged, designed or used to house three or more dwelling units.

*Dwelling unit* means one or more rooms with living, cooking, sanitary, and sleeping facilities therein, arranged for one family with whom may reside not more than three lodgers or boarders if elsewhere provided for by an ordinance of the city.

*Exterior property area* means open space on the premises and vacant open space on adjacent premises.

*Extermination* means the control and elimination of insects, rodents, and vermin by eliminating their harborage places; by removing, or making inaccessible, materials that may serve as their food; by poisoning, spraying, fumigating, trapping; or by any other approved means of pest elimination.

*Garbage* means the animal, vegetable, and mineral waste resulting from the handling, preparation, cooking and consumption of food.

*Habitable room* means a room in a residential unit used for living, sleeping, eating or cooking, but excluding baths, toilets, storage spaces or corridors.

*Head of code enforcement agency* means the director of the building and zoning department of the city.

*Infestation* means the presence within or contiguous to a dwelling of insects, rodents, vermin or other pests.

*Kitchen* means a space, 40 square feet or more in floor area, with a minimum width of five feet, used for cooking or preparation of food, and deemed habitable space.

*Kitchenette* means a space, less than 40 square feet in floor area, used for cooking or preparation of food, and not deemed habitable space.

*Multiple family*, as in a building, means more than two families or household living independently of each other and doing cooking within their living quarters and includes apartments, tenements and flats.

*Occupant* means any person over one year of age, living, sleeping, cooking or eating in, or having actual possession of, a dwelling unit or rooming unit.

*Operator* means any person, who has charge, care, or control of a multiple residence or roominghouse, in which dwelling units or rooming units are let or offered for occupancy.

*Owner* means any person, who alone or jointly or severally with others shall have:

(1)

Legal title to any building arranged, designed or used, in whole or in part, to house one or more dwelling units; or

(2)

Charge, care or control of any building arranged, designed or used, in whole or in part, to house one or more dwelling units, as owner or agent of the owner, or as a fiduciary of the estate of the owner or any officer appointed by the court. Any such person thus representing the actual owner shall be bound to comply with the terms of this article and any notice or rules and regulations issued pursuant thereto, to the same extent as if he were the owner.

*Premises* means a lot, plot, or parcel of land including the buildings or structures thereon.

*Rooming unit* means any room or group of rooms forming a single habitable unit used or intended to be used for living or sleeping, but not for cooking or eating purposes.

*Rubbish* means all combustible and noncombustible waste, except garbage.

*Structure* means a combination of any materials, whether fixed or portable, forming a construction, including buildings. The word "structure" shall be construed as though followed by the words "or part thereof."

*Supplied facilities* means facilities paid for, furnished, or provided by, or under control of the owner or operator.

*Temporary housing* means any tent, trailer or other structure used for human shelter designed to be transportable and which is not attached to the ground, to another structure, or to any utility system for more than 30 consecutive days. Any tent, trailer, or other structure occupied for more than 30 consecutive days shall meet all requirements of this Code. This shall not be construed as permitting its existence unless specifically provided for by other ordinances.

*Toilet room or compartment* means an enclosed space containing one or more toilets, which may also contain one or more lavatories, urinals, and other plumbing fixtures.

- **Sec. 105-185. - Described and designated.**

Any dwelling which is found to have any of the following defects shall be declared by the director to be unfit for human habitation:

- (1) Is so damaged, decayed, dilapidated, unsanitary, unsafe or vermin-infested that it creates a serious hazard to the health or safety of the occupants or of the public.
- (2) Lacks illumination, ventilation or sanitation facilities adequate to protect the health or safety of the occupants or of the public.
- (3) Because of its location, general condition, state of the premises or number of occupants, if so unsanitary, unsafe, overcrowded or otherwise detrimental to health and safety that it creates a serious hazard to the occupants or of the public.
- (4) Because of the failure of the owner or occupant to comply with such notices or orders issued pursuant to this article, is unfit for human habitation.

- **Sec. 105-224. - Freedom from health, accident or fire hazards.**

Exterior property areas shall be free from conditions that might create a health, accident, or fire hazard, such as holes and excavations, sharp protrusions and other objects or conditions which might be a potential cause of personal injury. Undergrowth shall not exceed a height of 12 inches.

- **Sec. 105-225. - Freedom from rubbish and garbage.**

Exterior property areas shall be kept free from organic and inorganic material that might become a health, accident, or fire hazard, whether or not said areas are used for human habitation. Metal containers with covers shall be provided for the temporary storage of garbage and rubbish. Materials of an inflammable nature shall be safely stored or removed from the premises. Rubbish, trash, debris, dead trees or other unsightly or unsanitary matter shall be removed by owner or occupant or both.

- **Sec. 105-226. - Discharge of sewage.**

Sewage must be discharged into a public sewer system, if same is provided by the city or into other means of disposal approved by the city

- **Sec. 105-227. - Stormwater drainage.**

Stormwater causing recurrent or excessive ponding shall be eliminated through proper filling or grading of ground. The ground should be graded away from the building and foundation, but not so as to cause the water to drain into adjoining property or city rights-of-way, streets or parkways

- **Sec. 105-228. - Noxious weeds and plants.**

Exterior property areas shall be free from species of weeds or plant growth which are noxious or detrimental to the public health.

- **Sec. 105-229. - Insect and rodent harborage.**

Exterior property areas shall be kept free from sources of insect, vermin, and rodent breeding, harborage, and infestation. Where insect, rodent, or vermin breeding areas, harborage or infestation exist, such areas, harborage, or infestation shall be eliminated

- **Sec. 105-231. - Accessory structures; repair, freedom from hazards.**

Accessory structures, located on exterior property areas, shall be kept in good repair, free from health, fire, and accident hazards, and vermin.

- **Sec. 105-233. - Maintenance—Private space.**

Every occupant of a dwelling or dwelling unit shall keep in clean and sanitary condition that part of the dwelling, or premises thereof, which he occupies or controls.

- **Sec. 105-236. - Extermination.**

Every occupant of a single dwelling unit shall be responsible for the extermination of any rodents, vermin or other pests therein or on the premises. Every occupant of a dwelling unit in a building containing more than one dwelling unit shall be responsible for such extermination whenever his dwelling unit is the only one infested, except that whenever such infestation is caused by the failure of the owner to carry out the provisions of this article, extermination shall be the responsibility of the owner. When three or more dwelling units within a building are so infested, it shall be the responsibility of the owner to carry out the provisions of this article within such building, as cited above with respect to extermination.

- **Sec. 105-239. - Discontinuance of utilities.**

No owner, operator, or occupant shall cause any service, facility, equipment, or utility which is required to be supplied by the provisions of this article to be removed from, or shut off from, or discontinued for any occupied dwelling unit, except for necessary repairs, alterations, or emergencies

- **Sec. 105-241. - Hot water.**

Every dwelling shall have an adequate supply of hot water, properly connected to kitchen sink, laundry trays or washing machine, lavatory, tub and/or shower. Water heating equipment, except where a solar water heater is installed, shall be properly maintained and capable of delivering water at a minimum temperature of 120 degrees Fahrenheit at each hot water outlet

- **Sec. 105-243. - Plumbing fixtures connected to sewer lines.**

All plumbing fixtures installed within a structure used for human habitation shall be connected to sewer lines that discharge into a public sewerage system or other approved means of disposal. Private sewerage systems shall be connected and repairs or additions made in accordance with the applicable regulations of the city

- **Sec. 105-245. - Plumbing fixtures required.**

Every dwelling and dwelling unit shall have the following plumbing fixtures: kitchen sink, toilet, bathtub or shower, and lavatory. Kitchen sinks, bathtubs, showers, and lavatories shall be properly connected to both hot and cold water lines. Required plumbing fixtures shall be installed in accordance with the plumbing code of the city.

- **Sec. 105-246. - Electrical service.**

Every dwelling, dwelling unit, roominghouse, and rooming unit shall be provided with electric service, properly connected.

- **Sec. 105-247. - Cooking facilities.**

Every dwelling unit shall be provided with installed cooking facilities or utility connections for such facilities. Where cooking facilities are not supplied, adequate space and utility connections shall be provided where such connections are necessary.

- **Sec. 105-248. - Refrigerated space.**

In every dwelling unit where perishable foods are kept, refrigerated space for their storage or appropriate utility connections shall be provided. Where refrigeration equipment is not provided, adequate space and utility connections shall be provided

- **Sec. 105-249. - Maintenance of plumbing fixtures.**

Every water line, plumbing fixture, and drain located in a structure used for human habitation shall be properly installed, connected, and maintained, and capable of performing the function for which it was designed. All repairs to installations must be made in accordance with the plumbing regulation of the Florida Building Code adopted in section 105-23.

- **Sec. 105-278. - Stairs, porches and railings.**

The stairs, porches and railings affixed to the exterior of every structure used for human habitation shall be kept in good repair and structurally sound. They shall be free from holes and serious cracks, and shall be capable of supporting imposed loads

- **Sec. 105-279. - Weather and watertightness.**

Every structure, used for human habitation shall be so maintained that it will be weather and watertight. Exterior walls, roofs and all openings around doors, windows, chimneys and all other parts of the structure shall be so maintained as to keep water from entering the structure and to prevent undue heat loss. Damaged materials must be repaired or replaced. All parts of the structure that show evidence of dry rot or other deterioration shall be repaired, replaced and refinished to be in conformity with the rest of the structure. Window panes permitting entrance of water shall be replaced

- **Sec. 105-282. - Vermin and rodent free.**

The exterior of every structure used for human habitation shall be so maintained as to be vermin and rodent free. All exterior windows that are not fixed, doors, and other openings, up to four feet aboveground level, shall be screened or protected with acceptable wire mesh or other approved materials. Defects, cracks, or holes shall be tightly sealed to prevent the entrance of vermin and rodents.

- **Sec. 105-283. - Screening required.**

Every window, door, and other opening to outdoor space in the exterior of every structure used for human habitation shall be effectively protected against the entrance of insects. Such doors and other openings to outdoor space shall be supplied with either a self-closing device or a self-closing screen door. Every window and other opening to outdoor space shall be equipped with approved screening. A residential entrance with an ornamental solid door shall not be required to be screened.

- **Sec. 105-288. - Stairs and railings.**

Interior stairs of every structure used for human habitation shall be structurally sound and free from defects dangerous to life and limb. Railings shall be provided for stairs, balconies, and stairwells. Treads and risers that are broken, wrapped or loosened shall be repaired or replaced

- **Sec. 105-289. - Floors, walls, ceilings and roofs.**

Floors, walls, ceilings and roofs of every structure used for human habitation shall be structurally sound, and maintained in a clean and sanitary condition. They shall be free from cracks, breaks, loose plaster and similar conditions so serious as to endanger the safety of occupants or to seriously mar the attractiveness of the premises.

- **Sec. 105-291. - Interior free from rubbish and garbage.**

The interior of every structure used for human habitation shall be maintained free from rubbish and garbage that might become a health, accident, or fire hazard. Containers with covers shall be provided for the temporary storage of rubbish and garbage and other refuse. Materials of an inflammable nature shall be stored safely or removed from the premises.



- **Sec. 105-292. - Insect and rodent harborage.**

The interior of every structure used for human habitation shall be kept free from insect, rodent, and vermin infestation. Where insect, rodent, or vermin infestation, harborage, or breeding areas exist, such areas, harborage, or infestation shall be eliminated.



# VPR

## *Coral Gables City Code Sec. 34-165. Registration of abandoned real property.*

- (a) Any mortgagee who holds a mortgage on real property located within the City of Coral Gables shall perform an inspection of the property, upon default by the mortgagor. The mortgagee shall, within ten days of the inspection, register the property with the division of code enforcement, or designee, on forms provided by the city, and indicate whether the property is vacant or occupied. A separate registration is required for each property, whether it is found to be vacant or occupied.*
- (b) If the property is occupied but remains in default, it shall be inspected by the mortgagee or his designee monthly until (1) the mortgagor or other party remedies the default, or (2) it is found to be vacant or shows evidence of vacancy at which time it is deemed abandoned, and the mortgagee shall, within ten days of that inspection, update the property registration to a vacancy status on forms provided by the city.*
- (c) Registration pursuant to this section shall contain the name of the mortgagee and the server, the direct mailing address of the mortgagee and the server, a direct contact name and telephone number for both parties, facsimile number and e-mail address for both parties, the folio or tax number, and the name and 24-hour contact phone number of the property management company responsible for the security and maintenance of the property.*
- (d) A non-refundable annual registration fee in the amount of \$200.00 per property, shall accompany the registration form(s).*
- (e) All registration fees must be paid directly from the mortgagee, servicer, trustee, or owner. Third party registration fees are not allowed without the consent of the city and/or its authorized designee.*
- (f) This section shall also apply to properties that have been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.*
- (g) Properties subject to this section shall remain under the annual registration requirement, and the inspection, security and maintenance standards of this section as long as they remain vacant or in default.*
- (h) Any person or legal entity that has registered a property under this section must report any change of information contained in the registration within ten days of the change.*
- (i) Failure of the mortgagee and/or owner to properly register or to modify the registration form from time to time to reflect a change of circumstances as required by this article is a violation of the article and shall be subject to enforcement.*

(i) Pursuant to any administrative or judicial finding and determination that any property is in violation of this article, the city may take the necessary action to ensure compliance with and place a lien on the property for the cost of the work performed to benefit the property and bring it into compliance.

## WWP Code Section

### **105.1 Required.**

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*.

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## **INT/EXT Code Section**

### **3-208 Zoning Code**

No person shall commence or cause to be commenced any miscellaneous work, which does not otherwise require a building permit, which affects the aesthetics, appearance, or architectural design of any structure, site or site improvements until an application for a zoning permit therefore has been previously filed with the Building and Zoning Department. No such miscellaneous work which affects the aesthetics, appearance, or architectural design of any structure, site or site improvements shall commence until a permit has been issued by the City in every case where the cost of such proposed work exceeds five hundred (\$500) dollars in labor and materials. All work done under and pursuant to any zoning permit shall conform to the approved plans and/or specifications.







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431 Villabella



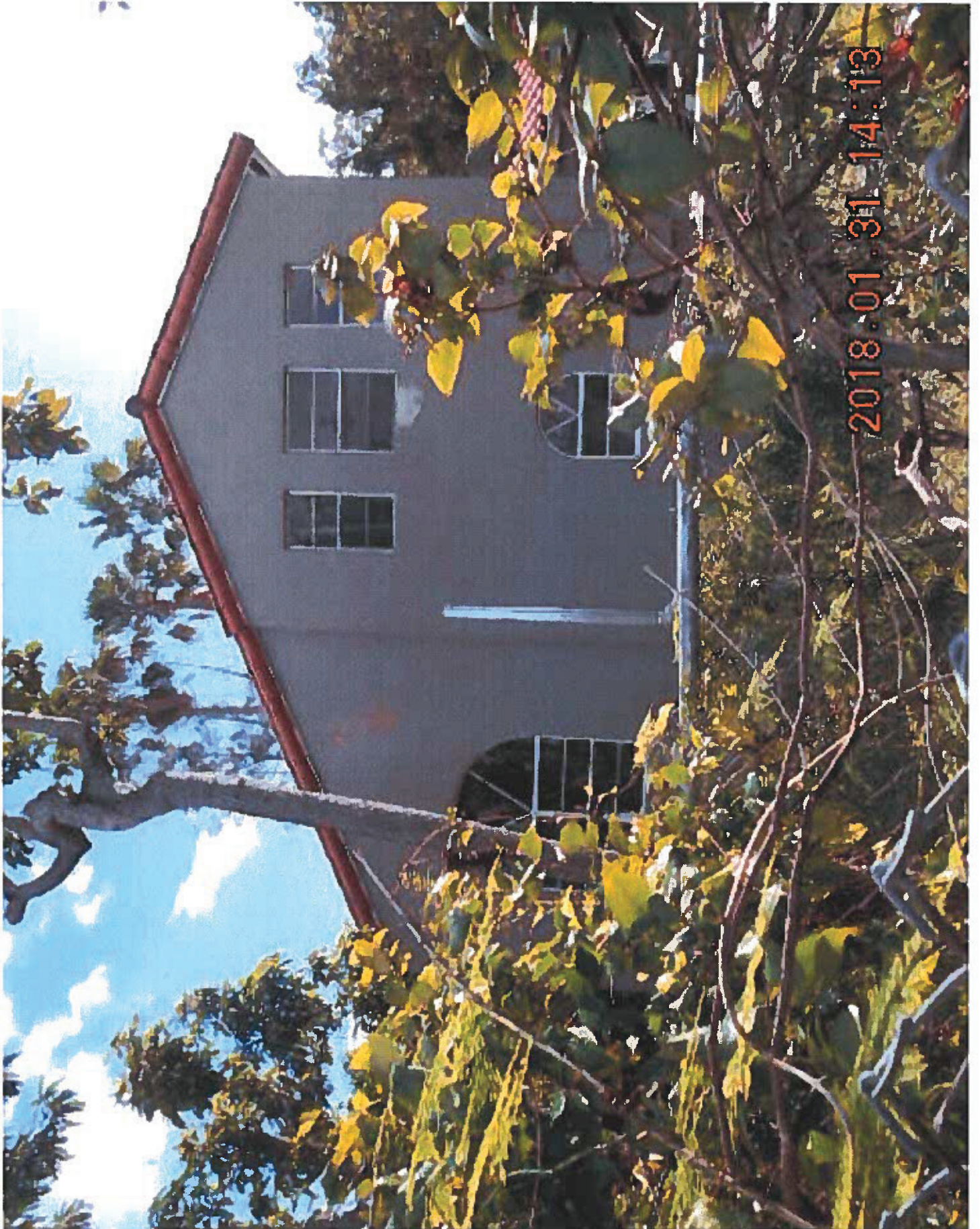
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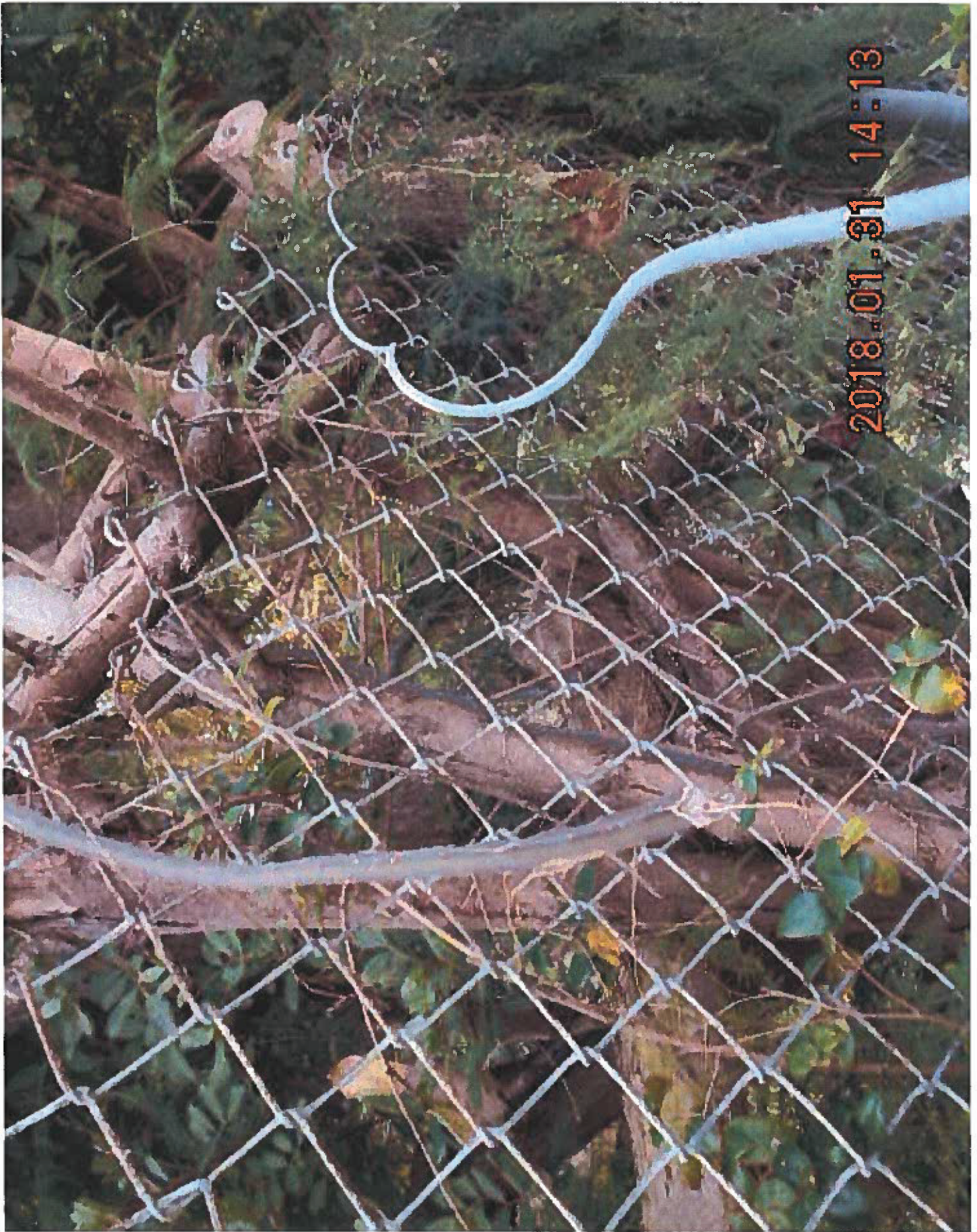




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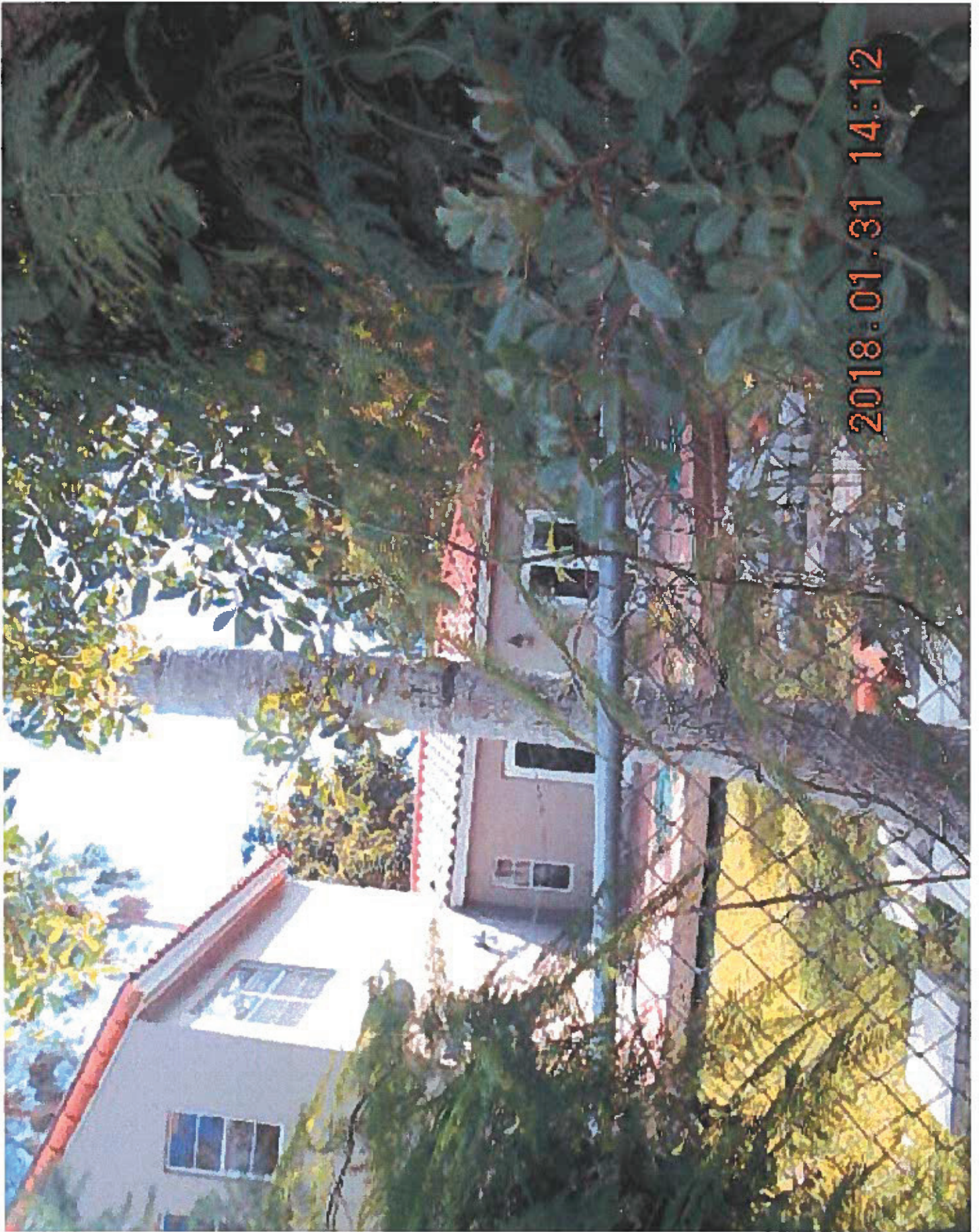
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431 vilqabana



**Sheppard, Terri**

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**From:** Ortiz, William  
**Sent:** Tuesday, February 06, 2018 1:24 PM  
**To:** Sheppard, Terri  
**Cc:** 'alp@alp-law.com'  
**Subject:** RE: 431 Vilabella Avenue

Hi Terri:

Please send Alex the NOV once it's ready.

Thank you.

William Ortiz  
Code Enforcement Division Manager  
Development Services Department  
City of Coral Gables  
427 Biltmore Way Suite 100  
Coral Gables, FL 33134  
Ph: 305-460-5271  
Fax: 305-460-5348



 Think Green! Please do not print this e-mail unless it is completely necessary.

---

**From:** Ortiz, William  
**Sent:** Friday, February 02, 2018 2:04 PM  
**To:** Sheppard, Terri  
**Cc:** 'alp@alp-law.com'  
**Subject:** RE: 431 Vilabella Avenue

Hi Terri:

Based on our inspection, where we saw through the built in windows on the front door that interior demolition had taken place, and what you have seen from the back side, please cite accordingly for work done without a permit.

Thank you.

William Ortiz  
Code Enforcement Division Manager  
Development Services Department  
City of Coral Gables  
427 Biltmore Way Suite 100  
Coral Gables, FL 33134  
Ph: 305-460-5271  
Fax: 305-460-5348



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---

**From:** Sheppard, Terri  
**Sent:** Wednesday, January 31, 2018 10:01 AM  
**To:** Paz, Joe; Ramos, Claudio  
**Cc:** Ortiz, William  
**Subject:** RE: 431 Vilabella Avenue

Will,

Based on Joe's multiple visits to the property finding no work taking place, how would you like for me to proceed with this particular case?

Thank you,

Terri Sheppard  
Code Enforcement Officer  
Code Enforcement Department  
427 Biltmore Way, Suite 100  
Coral Gables, FL 33134



(305) 460-5239  
(305) 460-5348 fax  
[tsheppard@coralgables.com](mailto:tsheppard@coralgables.com)

---

**From:** Paz, Joe  
**Sent:** Tuesday, January 30, 2018 2:51 PM  
**To:** Ramos, Claudio  
**Cc:** Ortiz, William; Sheppard, Terri  
**Subject:** RE: 431 Vilabella Avenue

Good afternoon Terri,

I've made multiple site visits to subject property and have not noticed any work or anyone on site.

The exterior lightning by the garage door has been on since Monday (1-29-18). The residence appears vacant.

Thank you,

Joe Paz

---

**From:** Ramos, Claudio  
**Sent:** Sunday, January 28, 2018 2:02 PM  
**To:** Paz, Joe  
**Cc:** Ortiz, William; Sheppard, Terri  
**Subject:** Fwd: 431 Vilabella Avenue

Sorry Joe, but I just received this e-mail sent last Thursday.  
Claudio

Sent from my iPhone

Begin forwarded message:

**From:** "Sheppard, Terri" <[tsheppard@coralgables.com](mailto:tsheppard@coralgables.com)>  
**Date:** January 25, 2018 at 2:44:52 PM EST  
**To:** "Ramos, Claudio" <[cramos@coralgables.com](mailto:cramos@coralgables.com)>

Cc: "Ortiz, William" <[wortiz@coralgables.com](mailto:wortiz@coralgables.com)>  
Subject: re: 431 Vilabella Avenue

Good afternoon Claudio,

Can you please go by and inspect the above property for work without a permit? Please call me so I can give you additional details.

Thank you,

Terri Sheppard  
Code Enforcement Officer  
Code Enforcement Department  
427 Biltmore Way, Suite 100  
Coral Gables, FL 33134  
(305) 460-5239  
(305) 460-5348 fax  
[tsheppard@coralgables.com](mailto:tsheppard@coralgables.com)

## Sheppard, Terri

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**Cc:** 'alp@alp-law.com'  
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William Ortiz  
Code Enforcement Division Manager  
Development Services Department  
City of Coral Gables  
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Ph: 305-460-5271  
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Will,

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Thank you,

Terri Sheppard  
Code Enforcement Officer  
Code Enforcement Department  
427 Biltmore Way, Suite 100  
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(305) 460-5239  
(305) 460-5348 fax  
[tsheppard@coralgables.com](mailto:tsheppard@coralgables.com)

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Joe Paz

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**To:** "Ramos, Claudio" <[cramos@coralgables.com](mailto:cramos@coralgables.com)>  
**Cc:** "Ortiz, William" <[wortiz@coralgables.com](mailto:wortiz@coralgables.com)>  
**Subject:** re: 431 Vilabella Avenue

Good afternoon Claudio,

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Thank you,

Terri Sheppard  
Code Enforcement Officer  
Code Enforcement Department  
427 Biltmore Way, Suite 100  
Coral Gables, FL 33134  
(305) 460-5239  
(305) 460-5348 fax  
[tsheppard@coralgables.com](mailto:tsheppard@coralgables.com)

**Sheppard, Terri**

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**From:** alp@alp-law.com  
**Sent:** Wednesday, January 31, 2018 4:14 PM  
**To:** Sheppard, Terri  
**Cc:** Ortiz, William  
**Subject:** Re: 431 Vilabella Avenue ("Property")

Dear Will:

Do you agree with Terri that the City should take no action regarding the tree. Mr. Romero seemed to believe that the tree was contributing to the problem, but if the tree is not the subject of a code violation, it should be up to the affected property owner to address this directly with the owner of the tree.

Thanks!

Very truly yours,

Alexander L. Palenzuela  
Law Offices of Alexander L. Palenzuela, P.A.  
1200 Brickell Avenue, Suite 1440  
Miami, FL 33131-3205  
main (305) 375-9510, ext. 303  
mobile (305) 333-0467  
fax (305) 375-9511  
[alp@alp-law.com](mailto:alp@alp-law.com)  
[www.alp-law.com](http://www.alp-law.com)

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---

**From:** "Sheppard, Terri" <[tsheppard@coralgables.com](mailto:tsheppard@coralgables.com)>  
**Date:** Wednesday, January 31, 2018 at 3:55 PM  
**To:** Alexander Palenzuela <[alp@alp-law.com](mailto:alp@alp-law.com)>  
**Cc:** William Ortiz <[wortiz@coralgables.com](mailto:wortiz@coralgables.com)>  
**Subject:** RE: 431 Vilabella Avenue ("Property")

At this time, I do not propose any action in regards to the tree. It is a civil matter between Coral Gables High School and 425 Vilabella Avenue. Yes, the school's fence is completely intact.

Terri Sheppard  
Code Enforcement Officer  
Code Enforcement Department  
427 Biltmore Way, Suite 100  
Coral Gables, FL 33134  
(305) 460-5239  
(305) 460-5348 fax  
[tsheppard@coralgables.com](mailto:tsheppard@coralgables.com)

---

**From:** [alp@alp-law.com](mailto:alp@alp-law.com) [<mailto:alp@alp-law.com>]  
**Sent:** Wednesday, January 31, 2018 3:06 PM  
**To:** Sheppard, Terri  
**Cc:** Ortiz, William  
**Subject:** Re: 431 Vilabella Avenue ("Property")

Dear Terri:

Please see the attached list and send me the proposed NOV before it goes out, so that we can revise the list and make sure it matches the violations included in your NOV.

Please call me to further discuss the tree. In addition to the questions below, do you propose any action regarding the tree? If so, what is the address of the property with the tree? Finally, is the school's fence completely intact and unaffected by the tree?

Thanks!

Very truly yours,

Alexander L. Palenzuela  
Law Offices of Alexander L. Palenzuela, P.A.  
1200 Brickell Avenue, Suite 1440  
Miami, FL 33131-3205  
main (305) 375-9510, ext. 303  
mobile (305) 333-0467  
fax (305) 375-9511  
[alp@alp-law.com](mailto:alp@alp-law.com)  
[www.alp-law.com](http://www.alp-law.com)

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---

**From:** "Sheppard, Terri" <[tsheppard@coralgables.com](mailto:tsheppard@coralgables.com)>  
**Date:** Wednesday, January 31, 2018 at 2:30 PM  
**To:** Alexander Palenzuela <[alp@alp-law.com](mailto:alp@alp-law.com)>, William Ortiz <[wortiz@coralgables.com](mailto:wortiz@coralgables.com)>  
**Subject:** RE: 431 Vilabella Avenue ("Property")

Alex and Will,

I met with Mr. Romero of Coral Gables High School and was able to inspect the fence between 431 Vilabella and Coral Gables High School. The fence in question does not belong to Coral Gables High School but does belong to 431 Vilabella. It is in disrepair and is 5 feet high which is not allowed. There does appear to be some construction taking place, new line installed for the a/c. I have included George Ruggiano/Mechanical Official in this email so that he can see the picture. I will need to do some research on the wood deck to check for a permit. So far I will be citing for MIN for the fence in disrepair and for EXT for the 5 ft. fence installed without approval. I will wait for confirmation of the new a/c line from George Ruggiano before citing for WWP new a/c line. Please advise if correct at this point.

The tree leaning onto the Coral Gables High School fence is the next door neighbor's tree.

Terri Sheppard



Code Enforcement Officer  
Code Enforcement Department  
427 Biltmore Way, Suite 100  
Coral Gables, FL 33134  
(305) 460-5239  
(305) 460-5348 fax  
[tsheppard@coralgables.com](mailto:tsheppard@coralgables.com)

---

**From:** [alp@alp-law.com](mailto:alp@alp-law.com) [<mailto:alp@alp-law.com>]  
**Sent:** Tuesday, January 30, 2018 6:40 PM  
**To:** Ortiz, William; Sheppard, Terri  
**Subject:** FW: 431 Vilabella Avenue ("Property")

Dear Will and Terri:

Please see the email from Mr. Romero below and his photographs attached. It seems that the school's fence is damaged. Who at the City can I ask regarding removal of the tree branch that is causing the damage. Specially, would it require a permit and can it be done without replacing the tree. Also, please confirm that trimming a tree on private property is something that the City cannot undertake through its vendors.

Finally, please advise regarding the results of Terri's inspection and whether she agrees with Mr. Romero's statements below.

Thanks!

Very truly yours,

Alexander L. Palenzuela  
Law Offices of Alexander L. Palenzuela, P.A.  
1200 Brickell Avenue, Suite 1440  
Miami, FL 33131-3205  
main (305) 375-9510, ext. 303  
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---

**From:** "Romero, Louis A." <[CoachRomero@dadeschools.net](mailto:CoachRomero@dadeschools.net)>  
**Date:** Tuesday, January 30, 2018 at 11:03 AM  
**To:** Alexander Palenzuela <[alp@alp-law.com](mailto:alp@alp-law.com)>  
**Subject:** RE: 431 Vilabella Avenue ("Property")

Good Morning,

Attached are pictures from our side of the property.

Pic 1 – shows the neighbor tree which as a result of some fallen branches has damaged the top of our fence. The tree is on the neighbor side, as such, it is their responsibility to remove the fallen branches and trim the tree.

Pic 2 – shows the fence line is completely standing on our side with the once small section describe in pic 1.

Pic 3 – shows there is a 2<sup>nd</sup> fence behind our fence on the property in question.

Our students are not accessing this property by jumping either fence.

**Louis Romero**

*Athletic Director / Physical Education Dept Chair*  
*Coral Gables Sr High*  
*305-443-4871, Ext 2354*  
[coachromero@dadeschools.net](mailto:coachromero@dadeschools.net)

**Go Cavs!!!**

*"Cavalliers always conquer & prevail"*

**From:** alp@alp-law.com (mailto:alp@alp-law.com)  
**Sent:** Monday, January 29, 2018 1:53 PM  
**To:** Sheppard, Terri <tsheppard@coralgables.com>  
**Cc:** Romero, Louis A. <CoachRomero@dadeschools.net>; William Ortiz <wortiz@coralgables.com>  
**Subject:** Re: 431 Vilabella Avenue ("Property")

Dear Terri:

Please contact Luis Romero at the email address above to schedule an inspection of the fence at the Property. Mr. Romero told me that he will be at work tomorrow between 7AM and 3PM. He is copied on this email and his telephone number is (305) 443-4871, ext. 2354.

Thanks!

Very truly yours,

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---

**From:** Alexander Palenzuela <[alp@alp-law.com](mailto:alp@alp-law.com)>  
**Date:** Monday, January 29, 2018 at 1:45 PM  
**To:** "coachromero@dadeschools.net" <[coachromero@dadeschools.net](mailto:coachromero@dadeschools.net)>  
**Subject:** 431 Vilabella Avenue ("Property")

Dear Mr. Romero:

As we just discussed, please see the attached the photographs that the City of Coral Gables sent me, two of which show a damaged fence that appears to allow access from the schoolyard to the back yard of the vacant Property at the above address, which is just south of the school's track. Please advise whether the fence belongs to the school and whether it needs repair. If it is not the schools's fence, please confirm that the school has its own fence behind the Property, and that the school's fence is intact.

As we also discussed, I will ask the City if it would like to send a code enforcement inspector to meet with you to assess the fence from the schoolyard side and take photographs and I will get back to you.

Thank you.

Very truly yours,

Alexander L. Palenzuela  
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**Sheppard, Terri**

---

**From:** alp@alp-law.com  
**Sent:** Wednesday, January 31, 2018 3:06 PM  
**To:** Sheppard, Terri  
**Cc:** Ortiz, William  
**Subject:** Re: 431 Vilabella Avenue ("Property")  
**Attachments:** list of violations .docx

Dear Terri:

Please see the attached list and send me the proposed NOV before it goes out, so that we can revise the list and make sure it matches the violations included in your NOV.

Please call me to further discuss the tree. In addition to the questions below, do you propose any action regarding the tree? If so, what is the address of the property with the tree? Finally, is the school's fence completely intact and unaffected by the tree?

Thanks!

Very truly yours,

Alexander L. Palenzuela  
Law Offices of Alexander L. Palenzuela, P.A.  
1200 Brickell Avenue, Suite 1440  
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**From:** "Sheppard, Terri" <[tsheppard@coralgables.com](mailto:tsheppard@coralgables.com)>  
**Date:** Wednesday, January 31, 2018 at 2:30 PM  
**To:** Alexander Palenzuela <[alp@alp-law.com](mailto:alp@alp-law.com)>, William Ortiz <[wortiz@coralgables.com](mailto:wortiz@coralgables.com)>  
**Subject:** RE: 431 Vilabella Avenue ("Property")

Alex and Will,

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Terri Sheppard  
Code Enforcement Officer  
Code Enforcement Department  
427 Biltmore Way, Suite 100  
Coral Gables, FL 33134  
(305) 460-5239  
(305) 460-5348 fax  
[tsheppard@coralgables.com](mailto:tsheppard@coralgables.com)

---

**From:** [alp@alp-law.com](mailto:alp@alp-law.com) [mailto:[alp@alp-law.com](mailto:alp@alp-law.com)]  
**Sent:** Tuesday, January 30, 2018 6:40 PM  
**To:** Ortiz, William; Sheppard, Terri  
**Subject:** FW: 431 Vilabella Avenue ("Property")

Dear Will and Terri:

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Finally, please advise regarding the results of Terri's inspection and whether she agrees with Mr. Romero's statements below.

Thanks!

Very truly yours,

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---

**From:** "Romero, Louis A." <[CoachRomero@dadeschools.net](mailto:CoachRomero@dadeschools.net)>

**Date:** Tuesday, January 30, 2018 at 11:03 AM

**To:** Alexander Palenzuela <[alp@alp-law.com](mailto:alp@alp-law.com)>

**Subject:** RE: 431 Vilabella Avenue ("Property")

Good Morning,



Attached are pictures from our side of the property.

Pic 1 – shows the neighbor tree which as a result of some fallen branches has damaged the top of our fence. The tree is on the neighbor side, as such, it is their responsibility to remove the fallen branches and trim the tree.

Pic 2 – shows the fence line is completely standing on our side with the once small section describe in pic 1.

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Our students are not accessing this property by jumping either fence.

### **Louis Romero**

*Athletic Director / Physical Education Dept Chair*

*Coral Gables Sr High*

*305-443-4871, Ext 2354*

[coachromero@dadeschools.net](mailto:coachromero@dadeschools.net)

### **Go Cavs!!!**

*"Cavaliers always conquer & prevail"*

From: [alp@alp-law.com](mailto:alp@alp-law.com) [mailto:[alp@alp-law.com](mailto:alp@alp-law.com)]

Sent: Monday, January 29, 2018 1:53 PM

To: Sheppard, Terri <[tsheppard@coralgables.com](mailto:tsheppard@coralgables.com)>

Cc: Romero, Louis A. <[CoachRomero@dadeschools.net](mailto:CoachRomero@dadeschools.net)>; William Ortiz <[wortiz@coralgables.com](mailto:wortiz@coralgables.com)>

Subject: Re: 431 Vilabella Avenue ("Property")

Dear Terri:

Please contact Luis Romero at the email address above to schedule an inspection of the fence at the Property. Mr. Romero told me that he will be at work tomorrow between 7AM and 3PM. He is copied on this email and his telephone number is (305) 443-4871, ext. 2354.

Thanks!

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---

**From:** Alexander Palenzuela <[alp@alp-law.com](mailto:alp@alp-law.com)>  
**Date:** Monday, January 29, 2018 at 1:45 PM  
**To:** "coachromero@dadeschools.net" <[coachromero@dadeschools.net](mailto:coachromero@dadeschools.net)>  
**Subject:** 431 Vilabella Avenue ("Property")

Dear Mr. Romero:

As we just discussed, please see the attached the photographs that the City of Coral Gables sent me, two of which show a damaged fence that appears to allow access from the schoolyard to the back yard of the vacant Property at the above address, which is just south of the school's track. Please advise whether the fence belongs to the school and whether it needs repair. If it is not the schools's fence, please confirm that the school has its own fence behind the Property, and that the school's fence is intact.

As we also discussed, I will ask the City if it would like to send a code enforcement inspector to meet with you to assess the fence from the schoolyard side and take photographs and I will get back to you.

Thank you.

Very truly yours,

Alexander L. Palenzuela  
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**Sheppard, Terri**

---

**From:** Romero, Louis A. <CoachRomero@dadeschools.net>  
**Sent:** Wednesday, January 31, 2018 2:34 PM  
**To:** Sheppard, Terri  
**Subject:** RE: 431 Vilabella Avenue ("Property")

You are very welcome.

Louis Romero  
Athletic Director / Physical Education Dept Chair Coral Gables Sr High 305-443-4871, Ext 2354 coachromero@dadeschools.net

Go Cavs!!!  
"Cavaliers always conquer & prevail"

-----Original Message-----

**From:** Sheppard, Terri [mailto:tsheppard@coralgables.com]  
**Sent:** Wednesday, January 31, 2018 2:32 PM  
**To:** Romero, Louis A. <CoachRomero@dadeschools.net>  
**Subject:** RE: 431 Vilabella Avenue ("Property")

Mr. Romero,

Thank you for your time in meeting with me today. It was a pleasure.

Sincerely,

Terri Sheppard  
Code Enforcement Officer  
Code Enforcement Department  
427 Biltmore Way, Suite 100  
Coral Gables, FL 33134  
(305) 460-5239  
(305) 460-5348 fax  
tsheppard@coralgables.com

-----Original Message-----

From: Romero, Louis A. [mailto:CoachRomero@dadeschools.net]  
Sent: Wednesday, January 31, 2018 1:16 PM  
To: Sheppard, Terri  
Subject: RE: 431 Vilabella Avenue ("Property")

Please call my office when you arrive.

Louis Romero  
Athletic Director / Physical Education Dept Chair Coral Gables Sr High 305-443-4871, Ext 2354 coachromero@dadeschools.net

Go Cavs!!!  
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-----Original Message-----

From: Sheppard, Terri [mailto:tsheppard@coralgables.com]  
Sent: Wednesday, January 31, 2018 1:15 PM  
To: Romero, Louis A. <CoachRomero@dadeschools.net>  
Subject: RE: 431 Vilabella Avenue ("Property")

Thank you. I will meet you at the rear parking lot at the south side. Next to the storage containers.

-----Original Message-----

From: Romero, Louis A. [mailto:CoachRomero@dadeschools.net]  
Sent: Wednesday, January 31, 2018 1:12 PM  
To: Sheppard, Terri  
Subject: Re: 431 Vilabella Avenue ("Property")

Yes

Louis Romero  
Athletic Director / Physical Education Dept Chair Coral Gables Sr High

----- Original message -----

From: "Sheppard, Terri" <tsheppard@coralgables.com>  
Date: 1/31/18 1:11 PM (GMT-05:00)  
To: "Romero, Louis A." <CoachRomero@dadeschools.net>  
Subject: RE: 431 Vilabella Avenue ("Property")

Can we meet today at 2:00 p.m.?

Terri Sheppard  
Code Enforcement Officer  
Code Enforcement Department  
427 Biltmore Way, Suite 100  
Coral Gables, FL 33134  
(305) 460-5239  
(305) 460-5348 fax  
tsheppard@coralgables.com<mailto:tsheppard@coralgables.com>

From: Romero, Louis A. [mailto:CoachRomero@dadeschools.net]  
Sent: Wednesday, January 31, 2018 10:00 AM  
To: Sheppard, Terri  
Subject: RE: 431 Vilabella Avenue ("Property")

Good Morning,

I'm here on campus both today and tomorrow from 7:30 AM til 3 PM.

Louis Romero  
Athletic Director / Physical Education Dept Chair Coral Gables Sr High 305-443-4871, Ext 2354  
coachromero@dadeschools.net<mailto:coachromero@dadeschools.net>

Go Cavs!!!  
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From: Sheppard, Terri [mailto:tsheppard@coralgables.com]

Sent: Wednesday, January 31, 2018 9:58 AM

To: 'alp@alp-law.com' <alp@alp-law.com<mailto:alp@alp-law.com>>; Ortiz, William <wortiz@coralgables.com<mailto:wortiz@coralgables.com>>; Romero, Louis A. <CoachRomero@dadeschools.net<mailto:CoachRomero@dadeschools.net>>  
Subject: RE: 431 Vilabella Avenue ("Property")

Good morning Mr. Romero,

When are you available to meet today or tomorrow so that I may inspect the property?

Thank you,

Terri Sheppard  
Code Enforcement Officer  
Code Enforcement Department  
427 Biltmore Way, Suite 100  
Coral Gables, FL 33134  
(305) 460-5239  
(305) 460-5348 fax  
tsheppard@coralgables.com<mailto:tsheppard@coralgables.com>

From: alp@alp-law.com<mailto:alp@alp-law.com> [mailto:alp@alp-law.com]

Sent: Tuesday, January 30, 2018 6:40 PM

To: Ortiz, William; Sheppard, Terri

Subject: FW: 431 Vilabella Avenue ("Property")

Dear Will and Terri:

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Finally, please advise regarding the results of Terri's inspection and whether she agrees with Mr. Romero's statements below.

Thanks!

Very truly yours,

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From: "Romero, Louis A." <CoachRomero@dadeschools.net<mailto:CoachRomero@dadeschools.net>>  
Date: Tuesday, January 30, 2018 at 11:03 AM  
To: Alexander Palenzuela <alp@alp-law.com<mailto:alp@alp-law.com>>  
Subject: RE: 431 Vilabella Avenue ("Property")

Good Morning,

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Pic 1 - shows the neighbor tree which as a result of some fallen branches has damaged the top of our fence. The tree is no the neighbor side, as such, it is their responsibility to remove the fallen branches and trim the tree.



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Our students are not accessing this property by jumping either fence.

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Cc: Romero, Louis A. <CoachRomero@dadeschools.net<mailto:CoachRomero@dadeschools.net>>; William Ortiz  
<wortiz@coralgables.com<mailto:wortiz@coralgables.com>>  
Subject: Re: 431 Vilabella Avenue ("Property")

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mobile (305) 333-0467

fax (305) 375-9511

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From: Alexander Palenzuela <alp@alp-law.com<mailto:alp@alp-law.com>>

Date: Monday, January 29, 2018 at 1:45 PM

To: "coachromero@dadeschools.net<mailto:coachromero@dadeschools.net>" <coachromero@dadeschools.net<mailto:coachromero@dadeschools.net>>

Subject: 431 Vilabella Avenue ("Property")

Dear Mr. Romero:

As we just discussed, please see the attached the photographs that the City of Coral Gables sent me, two of which show a damaged fence that appears to allow access from the schoolyard to the back yard of the vacant Property at the above address, which is just south of the school's track. Please advise whether the fence belongs to the school and whether it needs repair. If it is not the schools's fence, please confirm that the school has its own fence behind the Property, and that the school's fence is intact.

As we also discussed, I will ask the City if it would like to send a code enforcement inspector to meet with you to assess the fence from the schoolyard side and take photographs and I will get back to you.

Thank you.

Very truly yours,

Alexander L. Palenzuela  
Law Offices of Alexander L. Palenzuela, P.A.  
1200 Brickell Avenue, Suite 1440  
Miami, FL 33131-3205  
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**Sheppard, Terri**

---

**From:** Romero, Louis A. <CoachRomero@dadeschools.net>  
**Sent:** Wednesday, January 31, 2018 1:16 PM  
**To:** Sheppard, Terri  
**Subject:** RE: 431 Vilabella Avenue ("Property")

Please call my office when you arrive.

Louis Romero  
Athletic Director / Physical Education Dept Chair Coral Gables Sr High 305-443-4871, Ext 2354 coachromero@dadeschools.net

Go Cavs!!!  
"Cavaliers always conquer & prevail"

-----Original Message-----

**From:** Sheppard, Terri [mailto:tsheppard@coralgables.com]  
**Sent:** Wednesday, January 31, 2018 1:15 PM  
**To:** Romero, Louis A. <CoachRomero@dadeschools.net>  
**Subject:** RE: 431 Vilabella Avenue ("Property")

Thank you. I will meet you at the rear parking lot at the south side. Next to the storage containers.

-----Original Message-----

**From:** Romero, Louis A. [mailto:CoachRomero@dadeschools.net]  
**Sent:** Wednesday, January 31, 2018 1:12 PM  
**To:** Sheppard, Terri  
**Subject:** Re: 431 Vilabella Avenue ("Property")

Yes

Louis Romero  
Athletic Director / Physical Education Dept Chair Coral Gables Sr High

----- Original message -----

From: "Sheppard, Terri" <tsheppard@coralgables.com>  
Date: 1/31/18 1:11 PM (GMT-05:00)  
To: "Romero, Louis A." <CoachRomero@dadeschools.net>  
Subject: RE: 431 Vilabella Avenue ("Property")

Can we meet today at 2:00 p.m.?

Terri Sheppard  
Code Enforcement Officer  
Code Enforcement Department  
427 Biltmore Way, Suite 100  
Coral Gables, FL 33134  
(305) 460-5239  
(305) 460-5348 fax  
tsheppard@coralgables.com<mailto:tsheppard@coralgables.com>

From: Romero, Louis A. [mailto:CoachRomero@dadeschools.net]  
Sent: Wednesday, January 31, 2018 10:00 AM  
To: Sheppard, Terri  
Subject: RE: 431 Vilabella Avenue ("Property")

Good Morning,

I'm here on campus both today and tomorrow from 7:30 AM til 3 PM.

Louis Romero  
Athletic Director / Physical Education Dept Chair Coral Gables Sr High 305-443-4871, Ext 2354  
coachromero@dadeschools.net<mailto:coachromero@dadeschools.net>

Go Cavs!!!  
"Cavaliers always conquer & prevail"

From: Sheppard, Terri [mailto:tsheppard@coralgables.com]

Sent: Wednesday, January 31, 2018 9:58 AM

To: 'alp@alp-law.com' <alp@alp-law.com<mailto:alp@alp-law.com>>; Ortiz, William <wortiz@coralgables.com<mailto:wortiz@coralgables.com>>; Romero, Louis A. <CoachRomero@dadeschools.net<mailto:CoachRomero@dadeschools.net>>  
Subject: RE: 431 Vilabella Avenue ("Property")

Good morning Mr. Romero,

When are you available to meet today or tomorrow so that I may inspect the property?

Thank you,

Terri Sheppard  
Code Enforcement Officer  
Code Enforcement Department  
427 Biltmore Way, Suite 100  
Coral Gables, FL 33134  
(305) 460-5239  
(305) 460-5348 fax  
tsheppard@coralgables.com<mailto:tsheppard@coralgables.com>

From: alp@alp-law.com<mailto:alp@alp-law.com> [mailto:alp@alp-law.com]  
Sent: Tuesday, January 30, 2018 6:40 PM  
To: Ortiz, William; Sheppard, Terri  
Subject: FW: 431 Vilabella Avenue ("Property")

Dear Will and Terri:

Please see the email from Mr. Romero below and his photographs attached. It seems that the school's fence is damaged. Who at the City can I ask regarding removal of the tree branch that is causing the damage. Specially, would it require a permit and can it be done without replacing the tree. Also, please confirm that trimming a tree on private property is something that the City cannot undertake though its vendors.

Finally, please advise regarding the results of Terri's inspection and whether she agrees with Mr. Romero's statements below.

Thanks!

Very truly yours,

Alexander L. Palenzuela  
Law Offices of Alexander L. Palenzuela, P.A.  
1200 Brickell Avenue, Suite 1440  
Miami, FL 33131-3205  
main (305) 375-9510, ext. 303

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From: "Romero, Louis A." <CoachRomero@dadeschools.net<mailto:CoachRomero@dadeschools.net>>  
Date: Tuesday, January 30, 2018 at 11:03 AM  
To: Alexander Palenzuela <alp@alp-law.com<mailto:alp@alp-law.com>>  
Subject: RE: 431 Vilabella Avenue ("Property")

Good Morning,

Attached are pictures from our side of the property.

Pic 1 - shows the neighbor tree which as a result of some fallen branches has damaged the top of our fence. The tree is on the neighbor side, as such, it is their responsibility to remove the fallen branches and trim the tree.