

Lugo, Angelica

From: Azel, Juan <JAzel@winston.com>
Sent: Tuesday, June 3, 2025 10:53 AM
To: Lugo, Angelica; Code Enforcement
Subject: RE: Ticket No. TICK-25-05-19785 (Evelyn Azel, 6636 Riviera Drive, Coral Gables, Florida 33146)

CAUTION: External Sender. Please do not click on links or open attachments from senders you do not trust.

Thank you Ms. Lugo.

However, do not post any notice on the property. With respect, there is nothing in Chapter 162 of Florida Statutes that requires that a notice be posted or tapped to the outside of the property, including Fla. Stat. 162.12 which you cite below. In fact, Fla. Stat. 162.06(2) instead requires that the “code enforcement board, through its clerical staff, shall schedule a hearing, and written notice of such hearing shall be hand delivered or mailed as provided in s. 162.12 to said violator”. While it is true that the same section gives the option (not the requirement) to the code enforcement board, to additionally serve the notice by publication or posting as provided in s. 162.12, sections 162.02(2) and 162.12(2)(c) make it clear that such publication or posting is intended to be used when an attempt or attempts to provide notice by hand delivery or by mail has been made. (*“Notice by publication or posting may run concurrently with, or may follow, an attempt or attempts to provide notice by hand delivery or by mail as required under [162.12(1)]”*). There is no such need for any publication or posting of the notice because I have confirmed that I represent Ms. Azel in this matter and have the authority, and willing, to accept notice of the hearing on her behalf. Please hand deliver or mail the notice to the property address as you are required to do by Fla. Stat. 162.06(2), and email a courtesy notice to me at this email address.

I note in passing that in a recent prior alleged violation relating to bulky trash, as well as this most recent alleged violation, the posting of the notice of the violation itself on the home was not done concurrently or following an attempt to hand deliver or mail the notice, in apparent violation of Section 162.12(2)(c). In the first instance of an alleged bulky trash violation, there was *never* an attempt to do either—the notice was simply tapped like a “scarlet letter” on the front of the home—and in this most recent instance, the notice was similar tapped on the home and was *only* sent by certified mailed *after* Ms. Azel called the City and complained about the tapping of a notice on her home. I recommend that you discuss the Board’s “standard operating procedure” of tapping notices to homes without any attempt to hand deliver or mail the notice with City Attorney Suarez’s Office, because it appears to be violating Florida Statutes.

Best,
Juan

Juan Azel

Partner

Chair, FinTech, Banking, and Payments Group

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From: Lugo, Angelica <alugo@coralgables.com>
Sent: Tuesday, June 3, 2025 10:07 AM
To: Azel, Juan <JAzel@winston.com>; Code Enforcement <CodeEnforcement@coralgables.com>
Subject: RE: Ticket No. TICK-25-05-19785 (Evelyn Azel, 6636 Riviera Drive, Coral Gables, Florida 33146)

Good morning Mr. Azel,

Apologies for the delayed response as I worked to gather the information you requested during our previous conversation.

I have notified our clerk and have confirmed TICK-25-05-19785 has been scheduled for the ticket hearing on July 2nd. A notice will be mailed and posted at the property as a means to notify you in writing as part of the legal procedures.

As I mentioned before, I understand the confusion and your frustration at the notice posted on the property at 6636 riviera. However, this is part of our standard operating procedure in a means to properly notify the resident, property, or business owner of any violation or issued notice.

As Witten in Florida State Statute: CHAPTER 162 COUNTY OR MUNICIPAL CODE ENFORCEMENT, PART I LOCAL GOVERNMENT CODE ENFORCEMENT BOARDS (ss. 162.01-162.13)

Which states: 162.12 Notices.—

(1) All notices required by this part must be provided to the alleged violator by:

(a) Certified mail, and at the option of the local government return receipt requested, to the address listed in the tax collector's office for tax notices or to the address listed in the county property appraiser's database. The local government may also provide an additional notice to any other address it may find for the property owner. For property owned by a corporation, notices may be provided by certified mail to the registered agent of the corporation. If any notice sent by certified mail is not signed as received within 30 days after the postmarked date of mailing, notice may be provided by posting as described in subparagraphs (2)(b)1. and 2.;

(b) Hand delivery by the sheriff or other law enforcement officer, code inspector, or other person designated by the local governing body;

(c) Leaving the notice at the violator's usual place of residence with any person residing therein who is above 15 years of age and informing such person of the contents of the notice; or

(d) In the case of commercial premises, leaving the notice with the manager or other person in charge.

The City of Coral Gables has adopted in its Municipal code all Florida state building codes and applicable statutes to enforce these codes. Please do not be alarmed when the notice for the ticket hearing and all necessary instructions is posted, we are simply following procedures.

Should you have any questions or additional concerns, please do not hesitate to reach out. We are always more than happy to assist you.

Thank you



Angelica Lugo
Code Compliance Specialist

Development Services
427 Biltmore Way, Coral Gables, FL 33134 / 305-460-5387
[305-460-5387](tel:305-460-5387)
www.coralgables.com
facebook.com/cityofcoralgables

From: Azel, Juan <JAz@winston.com>
Sent: Wednesday, May 28, 2025 1:47 PM
To: Code Enforcement <CodeEnforcement@coralgables.com>
Subject: Ticket No. TICK-25-05-19785 (Evelyn Azel, 6636 Riviera Drive, Coral Gables, Florida 33146)

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City of Coral Gables
Clerk of the Code Enforcement Board
Development Services Department

Dear Clerk,

I represent the Coral Gables homeowner, Evelyn Azel, in connection with the above-referenced Ticket No. that was left "tapped" on the exterior facade of her Coral Gables home. Please accept this email as a formal request for an administrative hearing before a hearing officer to appeal the decision of the code officer, Angelica Lugo, in connection with the above-referenced Ticket No. We look forward to your reply as to the hearing date.

Best,
Juan Azel

Juan Azel
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