



Code Compliance Board Regular Meeting Minutes

January 8, 2026, at 3:00 PM

City Hall Commission Chambers
401 S. Park Avenue

Present

Doug Bond, Steve Heller, Wayne Johnson, Paul Mandelkern, Kristen Matt, Carlos Diez - Arguelles

Absent:

Melissa Blaney

Legal Representative for the City:

Assistant City Attorney Richard Geller
Eric Jontz, Fishback-Dominick

Staff Present

Building Official Gary Hiatt, Code Compliance Division Manager Susanne Porras, Code Compliance Officer Phillip Wade, Code Compliance Officer Cristopher Gomez, Board Secretary Susan Pruchnicki

1. Call to Order

- a. Roll Call
- b. Board Chair Wayne Johnson welcomed everyone and provided guidelines for all to follow during the meeting. He then read the Statement of Purpose.

2. Swearing in of Witnesses

Witnesses were sworn in by Board Secretary Susan Pruchnicki

3. Consent Agenda

- a. Approve the Regular Meeting minutes from December 4, 2025

Board Chair Wayne Johnson and Board Member Paul Mandelkern made two corrections to the minutes as presented. Board Member Steve Heller made a motion to approve the minutes as amended. Mr. Mandelkern seconded.

VOTE:

Steve Heller	Yes
Kristen Matt	Yes
Wayne Johnson	Yes
Paul Mandelkern	Yes
Carlos Diez-Arguelles	Yes
Melissa Blaney	Absent
Doug Bond	Yes

Motion passed 6-0.

4. Public Comments (for items not on the agenda): Three minutes allowed for each speaker.

None

5. Public Hearings (Public participation and comment on these matters must be in person.)

**a. Motion for Foreclosure Proceedings
2661 Via Tuscany, Winter Park, FL 32789**

Building Official Gary Hiatt introduced himself and presented a synopsis of cases 22-943 and BLDG-23-0008 to the Board. Mr. Hiatt provided proof of Respondent’s ownership per Orange County records. The Notice of Hearing was issued on December 18, 2025, via regular and certified mail and posted at the property and City Hall to meet Florida Statutes Chapter 162 and City Code Section 2-109 due process requirements.

Mr. Hiatt stated that the City received a request for reduction or adjustment of Code Compliance Board Fines and Liens on September 5, 2025, from the property owners, Development and Builder Group, LLC and CEO Fernando Bermudez. The Winter Park City Commission heard the request on December 10, 2025. He then stated that the Commission denied the request Mr. Hiatt cited to Section 2-107 of the City Code, which states with respect to code enforcement liens, “After three months from the filing of any such lien which remains unpaid, the code compliance board may authorize the city attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest.” He added that the code requires the Board’s authorization to file foreclosure proceedings in court.

Mr. Hiatt noted that, if the board authorizes foreclosure, the matter will move on to the City Commission, which has the ultimate authority to expend public funds for a foreclosure lawsuit. The Commission meeting will be held on January 28, 2026.

Mr. Hiatt asked the Board if they had any questions for him. Assistant City Attorney Rick Geller pointed out to the Board that Eric Jontz from Fishback-Dominick was available to answer any questions of a legal nature. Mr. Jontz would actually litigate the foreclosure if authorized.

Mr. Johnson stated that he watched the City Commission meeting video, then asked for any reason not to authorize the foreclosure. He noted that the Commission upheld the fines.

Mr. Mandelkern asked, if since this board was making a quasi-judicial determination if the City Commission has the legal authority to override their decisions. Mr. Geller asked Mr. Mandelkern if he was asking about the fine reduction or the foreclosure. Mr. Mandelkern stated that he did not realize until this meeting that the case had gone to the City Commission. Mr. Geller stated that, in this case, the fines became liens. As such, he was uncertain that the City Code grants express authority to the Code Compliance Board to eliminate liens once recorded. He stated that the Board can reduce its own fine, but once it becomes recorded as a lien, it would be out of the Board's hands. For that reason, the proceeding was brought to the City Commission.

Mr. Mandelkern then asked what happens if the foreclosure is successful, what is the next step, and what happens after the court rules in favor of the city. Mr. Eric Jontz responded that the court would set a foreclosure sale date, and the property would then go to public auction. He explained that the city would have a "credit bid." For example, if the final judgement of foreclosure were \$350,000.00, the city would have a credit bid up to that amount without having to expend the funds. He said a third-party could bid more than the City and could be the successful bidder.

Mr. Geller said the mortgage holder and the IRS have superior liens to the City's. Mr. Mandelkern asked if there are superior liens and a third-party bidder is successful, would the city get paid. Mr. Jontz replied that anything a third-party bidder pays to the court, up to the value of the judgement, would go to the city to satisfy the lien. Mr. Jontz added that the superior liens are approximately \$1,200,000.00 for the mortgage and \$10,000 to the IRS; however, the property is valued at roughly \$6,000,000.00 per Zillow. The Property Appraiser values it at \$246,000.00; however, he thought that assessment was before the Certificate of Occupancy's issuance. He assumed the property is not occupied.

Now that the property is on the market for \$6,600,000.00, the total liens ahead of the city appear to total \$1.2 - \$1.3 million. It appears there is equity in the property to satisfy the Court's code lien. Any person who is the successful purchaser at the foreclosure sale, whether the city or a third-party, takes the property subject to the superior liens. The purchaser could start paying off the superior liens, or more likely would sell the property and pay off the liens from the sales proceeds.

Mr. Mandelkern said he was still confused. He asked, if the City Commission approved the

foreclosure, the city would spend money on attorney fees for handling the foreclosure, but this would profit the superior liens, assuming the mortgage is current and not having knowledge about the IRS tax lien, but if the city would be successful in a foreclosure action the city liens would not be paid.

Mr. Jontz responded that the city would be paid if: (a) a third-party outbids the city, that the Clerk of the Court would pay an amount up to the City's approximately \$350,000 lien to pay off the city's judgement regardless of the superior lien; or (b) if no one outbids the city and then the city sells the property, \$6.6 million, less the \$1.3 million in superior liens would net an equity surplus of \$4.7 million. Most likely, at some point, the first lien holder will get paid off but there appears to be enough equity in the house to pay off the superior liens after a foreclosure sale. Mr. Mandelkern responded that it made good business sense for the city to proceed to foreclose on this lien, even though it's not the superior lien. Mr. Jontz replied affirmatively, assuming that the \$6.6 million valuation is accurate. Mr. Mandelkern thanked Mr. Jontz.

Mr. Johnson asked Mr. Jontz if the city could bid more than the amount of the lien. Mr. Jontz replied that the city certainly could, offering the example of bidding \$420,000. The city would have a credit bid of \$350,000.00 plus put up \$70,000.00 in cash.

Mr. Johnson asked if a Certificate of Occupancy had been obtained. Mr. Hiatt responded yes. Mr. Johnson asked if the city would get its money from a sale for \$2 million, even though the city expects it to be worth much more. Mr. Jontz replied yes, noting the property appears to have a lot of equity. Mr. Johnson confirmed the estimated amount of the superior liens with Mr. Jontz. Mr. Jontz responded that the superior liens could be more if the owner is not paying off the IRS or interest on the mortgage. They could also have accumulated attorneys' fees, interest, and other expenses.

Mr. Ness Chakir of Ness Law, 4700 Millenia Blvd., Suite 175, Orlando, FL approached the podium and identified himself as the Respondent's Counsel. He thanked the Board for the opportunity to appear and their service to the community. He also recognized the city's efforts to maintain high standards.

Mr. Chakir respectfully asked the Board to delay the foreclosure, saying that he wanted to work with the city to reduce the accumulated fines and liens based on the Respondent's full compliance, mitigating circumstances, and the factors outlined in Florida statutes and the Winter Park code sections. He stated the Respondent is merely seeking collaboration on the Board's discretion to reduce fines post-compliance. He outlined key points as follows:

- 1) Regarding the action taken to correct the violation as of July, the property is fully compliant. All necessary permits were renewed, passed final inspection, and the Respondents obtained a Certificate of Occupancy from the city.
- 2) The pool structure, which was the subject of the expired permit has been completed to current code standards.
- 3) The property now enhances the neighborhood, adds a significant value to the Winter Park tax base, and is now listed as a high-end property.

Mr. Chakir stated that unfortunately the real estate market has gone down, and that the property's value has gone down substantially, which doesn't help the Respondent's situation.

In regard to the gravity of the violation, and specifically to the pool permit, Mr. Chakir stated it was a technical issue with an expired pool permit due to a failed engineering inspection. There was no evidence of public safety risk, structural hazards, or neighbors' complaints specifically tied to the pool in the Board's February 2024 Order. Unlike more serious violations, this did not pose eminent harm and has been fully resolved without irreversible effects. He added that the \$250.00 daily fine, while standard, now totals almost \$300,000.00, which feels disproportionate given the lack of ongoing impact.

As for why the Respondents took substantial time to comply, Mr. Chakir stated they reviewed at the last Board hearing their issues with COVID, a hurricane, and working with the wrong contractor. He stated the Respondents have never had code violation issues on previous projects in Winter Park or surrounding counties.

Finally, on the hardship issue, the main reason for this hearing, Mr. Chakir stated that Respondents simply cannot afford to pay the amount due to the city. He said, since the project was started, the lien on the property is about \$2 million now, and the value is no longer there. The Respondent got an appraisal of roughly \$4 million, but it is difficult to find buyers. That is one reason they cannot afford to pay the fines. He stated the Respondent was not seeking to waive the fines, only to request that the Board delay the foreclosure and work with them to reduce the fines. He stated there was a number that they could work together towards. They were asking to delay of the foreclosure and then work with the Board to reduce the fines.

Mr. Johnson asked Mr. Chakir if he attended the City Commission meeting or any of the prior meetings. Mr. Chakir said no, adding that he thought the outcome may have been different if he had attended. He stated that the Respondent chose to take it upon themselves. Mr. Johnson agreed, but now the Board is in a certain position.

Mr. Mandelkern asked Mr. Chakir if the property owner was current on the mortgage. Mr. Chakir responded yes and that the only problem is that the mortgage must be refinanced, which is part of the reason the indebtedness has gone up, but there is no issue with the payments.

Mr. Johnson asked how long they have listed the property for sale and if they had received any offers. Mr. Chakir believed they had listed the property since July of 2025, and that they had not received any offers. He stated that the Respondent has been trying to refinance and trying to get some funds, but it has been a very difficult situation with the changes in the market from just two years ago. Mr. Johnson thanked Mr. Chakir.

Mr. Mandelkern asked if the city had any response to the Respondent's position. Mr. Hiatt stated that since the City Commission ruled that it would not reduce the liens, he believed that option was off the table. The only matter before the Code Board is the authorization to proceed with the foreclosure.

Mr. Chakir believed that the Commissioners ruled against waiving the liens, but he did not hear anything about reducing the fine to a certain amount that would be acceptable to the Respondents. He believed that, in hindsight something could have been worked out with the Respondents to make some sort of payment but nowadays cannot come up with that amount of money. It is possible that Respondents may have to declare bankruptcy because it is a bad time right now in the real estate market. He stated the parties never discussed a number that the Respondent could afford.

Mr. Johnson replied that if there is a negotiation, they would have to do so with the City Commission, not this Board, which cannot overrule the Commission's decision.

Mr. Mandelkern summarized that the Respondent was asking for a delay in the foreclosure action to try and work out something with the city. He did not understand that they were asking the Board to alter the amount of the fine and asked Mr. Chakir if that was correct. Mr. Chakir said yes that he wasn't sure if the Board had the power to reduce the fines but at the very least they were seeking a delay in the foreclosure and try to work with the Board or Commissioners to reduce the liens. He added that it would be a win-win for the city and for the Respondents because the City would have no reason to move forward with the foreclosure, which will result in identifying the property as a "distressed property," which will hurt the value of the property and the neighborhood as well.

Mr. Mandelkern stated that if he understood the city attorney's response to his question, reducing the fine is out of the Board's hands, that they no longer have any authority since the lien has been filed, and asked Mr. Geller if that was correct. Mr. Geller said yes that he saw nothing in the code where the Board had the authority to reduce a lien, once recorded. Mr. Mandelkern added that it would be up to the Commission to reduce the lien. Mr. Geller confirmed.

Mr. Heller asked Mr. Geller if that was accurate, that Mr. Chakir stated that whoever went in front of the City Commission did not ask for a reduction. Mr. Chakir stated that he watched the video of the meeting. Mr. Geller said that he watched the video, too, and saw no request for a specific reduction, but only the request for a waiver.

Mr. Heller then asked if the Board delayed the foreclosure if Mr. Chakir would have the ability to go back to the Commission and ask for a reduction. Mr. Hiatt said the city's is asking for the Board to approve the foreclosure action. Assuming it is approved, this will go on the Commission Agenda for January 28, 2026, for them to authorize the funds to begin legal proceedings. It could be possible at that time for Mr. Chakir to speak to the Commission and let them make that decision. Mr. Mandelkern thanked Mr. Hiatt for the clarification.

Mr. Heller said authorizing the foreclosure seemed to be the only way forward. Mr. Mandelkern agreed that the Board did not have the authority to change anything. Mr. Heller told Mr. Chakir that he wished the Respondent would have brought him in sooner and Mr. Chakir agreed that it was unfortunate. Mr. Johnson added, if there was a pending sale of the property, they could forego the foreclosure action based on the property's valuation. Mr. Chakir did not think that the property would sell for \$6 million, and that they would be lucky if it sells at all at this point.

Mr. Johnson requested confirmation that the Respondent is trying to refinance. Mr. Chakir said yes, but they would need to take care of the mortgage holder's lien, and there was not much value in the property because they could not refinance the whole amount. He stated that if the mortgage was \$5 million they would only give the Respondent \$2 million or less, which doesn't cover much at all. He said the respondent is definitely in a very dire situation.

Board Discussion

Mr. Johnson reviewed the recommended motion and stated that he felt they had enough discussion. He stated that much was out of the Board's hands, and that it was only a matter of whether they should proceed with the motion to authorize foreclosure, and have it go before the City Commission on January 28th.

Ms. Matt pointed out that the recommended motion says that the Board may authorize the City Attorney to foreclose on the lien or sue to recover money in the amount of the lien and accrued interest, but that it does not include the accrued interest as of this date. She was curious how much that affects the total amount included in the lien value. Mr. Jontz responded that, looking at the records, it appears there is no interest. Mr. Johnson asked if interest was from the time of judgement or the time of lien. Code Compliance Division Manager Susanne Porras responded that the daily fines stopped when Respondent obtained the Certificate of Occupancy on July 2, 2025, and that there is no interest. Mr. Jontz stated that, if the city obtained a final judgement of foreclosure, statutory interest would begin to accrue at a legal rate determined by Florida law from the date of the final judgement of foreclosure until the judgment lien is paid off. Ms. Matt thanked Mr. Jontz for the explanation.

Mr. Johnson read from the motion that, on September 5, 2025, the city received a formal request for fine reduction and or adjustment. He stated that in his view, perhaps because Respondent did not have a lawyer's representation, that the Respondent was asking for everything: a fine reduction and/or waiver, at the Commission hearing. In that respect he felt that part of the recommended motion was correct.

Ms. Matt offered that she felt the best way forward, like most of the Board, was to approve of the foreclosure proceedings because if they delayed, the City would be in the same position it is in now, not having the authority to reduce the fines. The case must go to the City Commission for that discussion to take place. Mr. Johnson agreed, adding that Mr. Chakir/the Respondent would have the opportunity to negotiate with the Commission.

Mr. Johnson asked if the board must authorize the foreclosure or if they could just recommend it. Mr. Geller replied that the code requires an authorization. Mr. Johnson asked if the City Commission could override their authorization. Mr. Geller offered that the Commissioners could decide not to expend the funds to pursue the litigation, so in that respect, yes.

Mr. Johnson offered the following Motion:

Case #22-943 and Case #BLDG-23-0008 (hereinafter, the "Combined Cases"), came before the Code Compliance Board on a request by City Staff for authorization to foreclose on that certain real property located at 2661 Via Tuscany, Winter Park, FL 32789 (Parcel I.D. No.: 32-21-30-5478-07-010) (hereinafter, the "Subject Property"), pursuant to Section 2-107 of the City Code.

On September 5, 2025, the City received a formal request for Fine Reduction and or Adjustment from the property owner, the Respondent, Developer and Builder Group, LLC, and the company's CEO, Fernando Bermudez. The request went before the City Commission on December 10, 2025, which denied it.

Section 2-107 of the City Code states with respect to code enforcement liens, "After three months from the filing of any such lien which remains unpaid, the code compliance board may authorize the city attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest."

The code enforcement liens at issue have remained unpaid for longer than three months, as follows:

- (1) Case 22-943 has accumulated fines from 01/02/2023 – 07/02/2025 (913 days) @ \$250.00 per day for the first violation of its failure to timely "Obtain a Certificate of Occupancy", for a total of \$228,250.00 as of the hearing date.
- (2) The second violation, for the failure to "Apply for and obtain any necessary extensions of existing permits fines," accrued fines from 02/21/2023 – 06/07/2023 (107 days) @ \$250.00 per day, for a total of \$26,750.00 as of the hearing date.
- (3) The third violation, Case BLDG-23-0008, has accumulated fines from 09/15/2023 - 07/19/2024 (307 days) @ \$250.00 per day for Respondent's failure to "Submit an application for the pool structure to demonstrate compliance with current regulation and to address the comments made in 2021, within seven days of the hearing date," for a total of \$77,399.20 as of the hearing date.

Staff is requesting that the Code Compliance Board authorize the initiation of Foreclosure Proceedings against the Subject Property, pursuant to Section 2-107 of the City Code, and attempt to recover all fines and fees that are due to the City related to Combined Cases.

The Respondent has received proper notification per regular and certified mail and posting at the Subject Property and at City Hall to satisfy due process requirements under Florida Statutes chapter 162 and City Code section 2-109.

The Combined Cases evidence a history of repeated code violations, the disregarding of Code Board Orders, unpaid liens, and unfair impact on the Subject Property's neighbors, who endured years of an unfinished construction site. In addition, the City Commission determined that the fine and lien reduction requested by the Respondent was inappropriate under the circumstances.

Therefore, the Code Compliance Board hereby authorizes initiation of foreclosure proceedings in a court of competent jurisdiction against the Subject Property. The Board further recommends that the city seek a deficiency judgment as allowed under Florida law.

Mr. Mandelkern seconded the motion.

ROLL CALL VOTE:

Doug Bond	Yes
Steve Heller	Yes
Paul Mandelkern	Yes
Kristin Matt	Yes
Carlos Diez-Arguelles	Yes
Wayne Johnson	Yes
Melissa Blaney	Absent

Motion carried unanimously, 6-0.

b) CCB N-25-0010 455 Huntington Ave., Winter Park, FL 32789

Division Manager Susanne Porrás approached the podium and identified herself and presented proof of ownership of the property per Orange County official records. She stated the case was brought to Code Compliance by the Winter Park Police Department.

The Notice of Hearing was issued on December 11, 2025, via regular and certified mail and posted at the property and City Hall to meet Florida Statutes Chapter 162 and City Code Section 2-109 due process requirements.

CODES CITED:

Chapter 62- Offenses and Miscellaneous Provisions; Article IV. – Offenses Involving Public Peace and Order; Sec. 62-81 Urinating and Defecating in Public; Division 2. Noise and Disturbance Control; Sec. 62-91. Short Title; Sec. 62-92. Definitions. Illegal Open House Party; Noise Disturbance; (2), (3), (4) and (5); Sec. 62-95. Owner’s and Lessee’s Responsibility; Sec. 62-94. Enforcement; Sec. 62-96. Noise Disturbances Prohibited Generally, (1), (2), (3), (5), (6), (7), (8) and (9); Sec. 62-97. Specific Prohibitions. (a), (2), (a), 1,2,3, b, c, (4) and (13) of the City of Winter Park Code of Ordinances.

VIOLATION DESCRIPTION:

Multiple reports received from the police department made by several neighbors related to illegal parties and noise disturbances at this location, creating Public Nuisance conditions for all neighboring properties within a residential zoning district.

CORRECTIVE ACTION REQUIRED:

Cease all illegal party activities and adhere to the City of Winter Park Noise Disturbance Regulations.

Ms. Porrás presented the first Event Report from the Winter Park Police Department, which dated back to October 10, 2025. The call was placed to 911. She highlighted the remarks on the report that it was a “frat house” having a loud party. The caller advised that this was an ongoing problem, with kids walking the street and urinating on people’s yards.

Ms. Porrás then presented Officer Alyssa Hardy’s disposition note, which said that loud noises were heard all the way from Holt Ave. and Maryland Ave. The response code for the call was 10-25, meaning she spoke with the home renter, and she advised that she would quiet the party down, advising him that this was a first warning and to tell the entire house to abide by the ordinance.

Four Event Reports were filed on Friday, October 31, 2025. Ms. Porras displayed the first report from that night, indicating a call was made to the Police Department in reference to people outside playing loud music for two hours. Officer Michael Cuddy's report stated that the music was hardly heard, and he informed the homeowner of the noise ordinance and they were cooperating.

The second report from the same night, Friday, October 31, 2025, the caller stated the call was in reference to a large party going on. Officer Mark Vukanson responded and spoke with the residents, advising that the people would be moved into the home and that they were telling everyone to leave.

The third report from Friday, October 31, 2025, was in reference to a large party going on down the street near the Winter Park 9th Grade Center. Officers Rodricus Patton and Nicholas Thomas stated in their report that a notice was issued to keep people from blocking the streets.

The final report displayed was issued a little past midnight and was related to the same party; there was an arrest made.

Ms. Porras informed the Board that Officers from the Winter Park Police Department related to most of the calls were in attendance to answer any questions. She then explained that the case came to Code Compliance from an email that went to Mayor DeCiccio, the City Commissioners, and City Administration related to illegal parties at this location as well as the consumption of alcohol and drugs, and other illegal activities. Ms. Porras stated that she received multiple letters and calls from the neighbors, some of which were present for this hearing. She informed the Board that copies of the emails and letters received were included in their packets.

In conclusion, Ms. Porras displayed a photo provided by a resident that emailed her about the parties. The photo was taken on November 1, 2025, and shows the aftermath of the party held on Halloween. The photo depicted trash, empty cups and other discarded items. She then displayed a photo she took on January 7, 2026, of the side yard of the property facing Maryland Avenue which documented beer kegs on the property, and another photo of the front of the house from Huntington Avenue.

Ms. Porras stated she received a phone call from the registered agent/property owner, Mr. Gaetano Oddi, on December 16, 2025, acknowledging that he received the notices, and asked what steps to take to avoid additional penalties. Ms. Porras advised him to attend the meeting today and speak to the Board directly.

Ms. Matt asked if the case in question is just for the party that happened on October 31, 2025, and if there were previous complaints. Ms. Porras responded that what she gathered from some of the neighbors was that was the first time there was actually an emergency involving a minor because of alcohol, but that the parties were an ongoing problem. She stated she did not have any records, that typically Code Compliance does not take over nuisance or noise complaints unless a report is received because typically they occur after hours. Code Compliance relies on the Police Department as they are on duty 24/7 to provide code with a sworn statement which is necessary before a case can be prepared and brought before the Board. Mr. Johnson noted that there was a report provided for the same property dated October 10, 2025, documenting public urination.

Mr. Heller asked Ms. Porras if she heard back from Mr. Oddi and whether or not he was able to speak with his tenants, and if anything was discussed during the call. Ms. Porras referred to the slide in her presentation containing notes from the phone call with Mr. Oddi. He stated that he had spoken with the parents of the two tenants currently residing at the property and also with the tenants themselves, but nothing in writing.

Mr. Johnson asked if any of the Police Officers in attendance would like to make a statement. Sergeant Rojas approached the podium and introduced himself, stating that he was the Supervisor for the shift on October 31, 2025, and noted that the other officers in attendance were on duty. He made the point that on Halloween everyone throughout the city was having a good time. He stated that the department's first intention is not to get people in trouble, that they go and talk to them nicely and try to get them to be compliant, but this event was one that got completely out of hand, and they disregarded our requests for compliance to the point where a minor ended up in the hospital unconscious. That was the third time we responded. It was not the only party that night, but it was the only one that did not comply with what was requested by law enforcement. Mr. Johnson repeated that someone was taken to the hospital. Sgt. Rojas stated that from the report he read a minor, a 19-year-old female was transported to the hospital.

Sgt. Rojas stated that it was part of the criminal investigation that the tenant was the person responsible for the house and admitted that they were the ones that bought the alcohol and provided it to those that were at the party.

Mr. Johnson referred to the two event reports provided to them and asked Sgt. Rojas if he knew of any other incidents, perhaps while patrolling the area but not making an official report. Ms. Porrás responded to Mr. Johnson, stating that she requested records from the Records Department for this specific location and what they had was provided in their binders.

Mr. Bond asked Sgt. Rojas if the fraternity was associated with Rollins College. St. Rojas said yes. Mr. Bond asked if Rollins College was notified. Sgt. Rojas stated that the college is contacted any time there are students involved, especially in the College Quarter. He stated that WPPD calls campus security and they come out. He stated that when he met with them, without him saying anything, they knew this was the "Frat House", although those are not to be located in a residential area.

Mr. Gaetano Oddi of 355 Henkel Cir., Winter Park, FL 32789 approached the podium and identified himself as the owner of Mellow Yellow Properties, LLC. He stated that he received the complaint and also received a few texts on October 31, 2025, from a couple of the neighbors about the party at 455 Huntington Ave. He stated that he texted the kids and told them that it is a residential neighborhood and that they have to look after the peace in the neighborhood. He stated throughout the night he received pictures from neighbors and also a complaint about someone urinating in between houses. He stated that he went to the property on November 1, 2025, and there were probably 8 – 10 kids cleaning up beer cans. He told the two tenants on the lease that public urination was unacceptable, that they should clean everything up, and that they should apologize to the neighbors.

Mr. Oddi stated that once he received the complaint he forwarded it to both tenants and to their parents. He stated he received a response from some of the parents sometime between 8:30 PM and midnight and they were trying to defend their children's actions. He said he told everyone that it was inexcusable behavior to have parties that went on until 3:00 or 4:00 AM. He stated that one of the parents sent him an email stating that there would be no more parties between then and May when the lease was up. He stated that he would not be renewing the lease.

Mr. Johnson asked if the current tenants were in the house prior years or if this was the first school year. Mr. Oddi responded that one is graduating and the other has a year left. Mr. Johnson asked how long he had been renting out the property. Mr. Oddi responded 12-13 years. Mr. Johnson asked if there were any prior complaints. Mr. Oddi responded yes, from other parties, but not to the extent of this one. He stated he did not know someone was taken to the hospital.

PUBLIC COMMENTS

Melinda Wright of 737 Maryland Ave., Winter Park, FL 32789 stated she was a 15-year resident of the College Quarter. She stated she was also a member of a neighborhood advocacy group that has formed out of shared concerns about this type of issues. She noted that there are 12 members in the group, that some were in attendance and may want to speak, and others have submitted comments in writing. She stated that the group was in support of enforcement of the code on this property and felt like it is overdue and necessary.

Ms. Wright shared some excerpts from a letter the group sent to the city to provide the Board with a sense of what it was like from their perspective. She stated the size of the intoxicated crowd at the Halloween party was such that it spilled out into public roads and on to private property and included noise disturbance as far north as Maryland Ave. and Holt Ave., public drunkenness, public urination, heavy Cannabis use, unfamiliar loud vehicles cruising the neighborhood, and the referenced medical emergency. She stated that evening traffic was blocked and officers were called multiple times before the crowd was dispersed.

Ms. Wright stated that a member of the group who lives adjacent to the subject property reported to the group urination in her front yard and on her house. This along with the stench of alcohol and vomit required the house to be pressure washed. She went on to say that this was an ongoing problem and degrades the quality of life, health, and safety in their community.

Lisa Bohlmann of 453 Huntington Ave., Winter Park FL 32789 identified herself as a neighbor to Mr. Oddi's property and stated she has lived there for 42+ years, raised her children there, and pays property taxes. She stated she met Mr. Oddi and his wife in 2004 when they moved into 455 Huntington Ave., noting they raised their family there and then moved, and the house became a rental property. She said that most of the tenants have been okay, up until 2022.

Ms. Bohlmann stated that there have been other parties and she has tried to work with Mr. Oddi, telling him ahead of time when these parties would take place. His response was that he would tell them to be respectful of their neighbors. She stated after the Halloween party she "has had it." She stated she had text messages before the party happened, with pictures of kids carrying in gallons of vodka. She said three young men came to her to let her know they were going to have a frat party in conjunction with another fraternity and asked what her concerns were. She responded urination in her yard, trash, and loud noise, all of which happened. She felt that Mr. Oddi has become quite complacent with this party occurring. She referenced the text message about the party and the conversation with the young men, and Mr. Oddi replied that his wife just sent the tenants a text to have a good evening and be respectful of the neighbors. She replied that if there were too many people and it was too loud that she would call the police if someone else didn't first. She said she received a "thumbs up" emoji response. She texted the next morning saying that what happened last night was the worst ever party.

Ms. Bohlmann said that she believes in working with her neighbors and trying to talk to the boys next door before calling the police, code enforcement, or anyone else. She then stated that there were girls coming into her yard, pulling down their pants, and peeing in front of her cameras. She said she texted the boys to let them know what was happening, but there was no way they could contain the drunken and raucous party. She sent Mr. Oddi pictures of the backyard of the property; he replied he was sorry to hear and that he would call the tenants to remind them that they have neighbors and the next time the police would be called. She replied that she was under the impression that frat parties were not allowed and sent Mr. Oddi a copy of the city ordinance. She also sent pictures of the area between her house and his, and he responded that he was going to put a fence up, like that would solve the problem. He said he was going to clean up but he didn't, and that her husband had to pressure wash with bleach because there was vomit, urine, and trash. She said she planned to speak with the tenants the next day, but she was so angry she had to wait. She said she received a piece of mail that went to the rental house, and this was when she found out one of the tenants was arrested. She stated she felt that these parties bring down the neighborhood, that she and her husband cannot sit in their living room to watch television or have a conversation. She doesn't feel that Mr. Oddi has wanted to curb the problem, he says there is nothing he can do.

Mr. Mandelkern asked Ms. Bohlmann if she had contacted Rollins College about the problem. She said no that she wasn't sure if they could or would do anything. Mr. Mandelkern said that if the property is considered a frat house that they would have some control over the fraternities. Ms. Bohlmann responded she would hope so, saying that there is lettering identifying it as such. Mr. Mandelkern suggested Ms. Bohlmann talk to the college.

Ms. Wright returned to the podium to say that they have a liaison with Rollins College, and they have made it clear that off-campus student conduct problems are for the city to address. She said there has been a breakdown between the city and the college so there hasn't been any kind of follow-up with the college on these matters, that they are leaving it up to the city to manage. She said they are trying to engage with Rollins as a group and hoped to get a response from them but that has not happened.

Ms. Cynthia Schulz-Long of 774 Maryland Ave., Winter Park, FL 32789 approached the podium and identified herself. She stated her home was three houses north of Mr. Oddi's property and has lived there since 2019. She said she was not there to speak about the situation that happened on Halloween, although she was there, witnessed the situation, the police, and the throngs of students filling the street all the way up to Holt Ave.

Ms. Schulz-Long wished to share another situation that she personally experienced on April 14, 2025. She stated there was also a party occurring at the Subject Property, and between midnight and 2:00 AM a former Rollins student was driving to the party, adding that he believed he was currently employed by Rollins as a contract employee. She stated he was drunk and the vehicle got away from him and crashed into her yard. This damaged a transformer, causing the electricity in several homes on both Maryland Ave. and Antonette Ave. to go out, and also took out a tree in her yard. She stated there were lots of students outside that were prompting the driver to turn his car around and escape before the police arrived. She stated that by the time her husband got there (he was watching this happen) he asked the students if anyone had called 911. None had, she said they were too busy helping the driver escape. She added that this has been happening for a long time and it is dangerous behavior. She also stated that the CFO of Rollins College lives catacorner from her in the neighborhood, and he said that "these are great kids when they're not drinking and drugging" and he is absolutely right, but when incidents like this happen causing a public nuisance that brings the students into the street because they want to go to 455 Huntington Ave. and party there is no way of knowing what is going to happen.

Ms. Schulz-Long said that the neighborhood supports code compliance in this and making sure that it doesn't happen again. She stated that Mr. Oddi says he is not going to rent to these people, but every year he rents to a different fraternity. The neighborhood wants assurances that his next tenants are a nice family, that something has to change.

BOARD DISCUSSION

Ms. Matt asked if anyone knew which fraternity was renting the house, and if there were people living there that weren't on the lease. She noted that Ms. Schulz-Long said there were "Letters" outside of the house. Mr. Johnson said it may not be an actual fraternity house. Ms. Schulz-Long returned to the podium, stating that she was told by her neighbor who is the CFO of Rollins that it was the "SAE House" and that they were under investigation for misconduct by the Chapter.

Mr. Johnson stated he felt this was fairly straightforward and that the recommended motion included service on the occupants for their compliance to avoid eviction and would help establish anything down the road regarding any further complaints. He didn't think the residents would need to call the police if they have been ordered, they may make a complaint to the city with documentation which would trigger a fine if the Board decides to impose them regarding the activity.

Ms. Matt asked about part of the recommended motion that states "the respondent is ordered to cease all illegal party activities and to adhere to the City of Winter Park's noise disturbance code provisions" but "illegal party activities" is not defined. She thought assumptions could be made about what the noise disturbance code provisions are. Mr. Geller suggested that "illegal parties" be changed to "open house parties" because that is specifically defined in the code. Ms. Matt then asked about public urination, that this could happen without there being a noise complaint. Mr. Geller assumed that illegal parties was supposed to encompass that, but if the board wants to add it they could.

Mr. Mandelkern suggested that rather than getting into all the possibilities that it just be "illegal activities." Mr. Geller suggested it could read, "cease all illegal activities, including open house parties."

Mr. Johnson noted the definition of illegal house party is the gathering of three or more persons unrelated by blood or marriage in a residence. This is an adjacent neighborhood zoned for residential uses at which underage consumption of alcohol or use of illegal or controlled substances occurs. Ms. Porrás stated that she included a definition, it should be in the Board binder at the end of the case documents.

Ms. Matt also noted that the open house party is a fraternity party and is resulting in noise complaints but might not technically be open house parties, they might be mixers or invitation-based parties. Mr. Johnson preferred the definition of open-house parties because it mentions underage drinking and consuming illegal substances as opposed to having a few friends over and if they are quiet that should not be a violation.

Mr. Mandelkern offered that saying all illegal activities, including open house parties, would cover all violations listed at the beginning of the motion. Ms. Matt agreed. Mr. Mandelkern said it could be a mixer or something else, but if it violates the noise disturbance or any one of the other provisions it would still be a violation. Mr. Johnson wasn't sure of what Mr. Mandelkern was proposing or if he wanted to make a recommended motion. He preferred that the items were listed out in the motion but was willing to listen because noise disturbance would be separate from a legal open house party, adding the decibel limits for a noise disturbance.

Mr. Arguelles asked if the proposed fines were within the guidelines. Mr. Johnson said yes, then Mr. Arguelles asked if they could be higher. Mr. Geller responded that \$500.00 per repeat violation was the highest fine and if this case comes before the Board as a Massey Hearing then the board could impose fines up to \$500.00 per repeat violation.

Mr. Heller asked if the fine was just for the day of the violation or if it continued. Mr. Geller responded that once the Board made a finding that there have been repeat violations then indefinitely, if the repeat violations were to happen again; there is no end date. The fine would be imposed per party.

Ms. Porras added that if there is another party or there are students out on the street that Winter Park PD will be called and they will go out and register that violation, which comes to Code Compliance. That is how we would know if they are violating the order. Mr. Johnson asked if that was required, asking if a neighbor had a decibel meter or photos that documented someone going on the lawn would be documentation for a violation. Ms. Porras responded that the police report was required for residential noise complaints.

Ms. Schulz-Long approached the podium and identified herself again. She asked if the fine could be increased incrementally if it happens over and over again so it's more of a deterrent. Mr. Heller shook his head no. Ms. Schulz-Long suggested it would be a good idea.

Mr. Mandelkern made the following motion:

From the evidence presented today, I move to find the Respondent, Mellow Yellow Properties, LLC and Registered Agent (owner) Gaetano Oddi, Compliance Board Case #N-25-0010, owner of 455 Huntington Avenue, Winter Park, FL 32789 (the "Subject Property") in violation of Chapter 62 - Offenses and Miscellaneous Provisions; ARTICLE IV. – Offenses Involving Public Peace and Order; Sec. 62-81 Urinating and Defecating in Public; Division 2. Noise and Disturbance Control; Sec. 62-91. Short Title; Sec. 62-92. Definitions. Illegal Open House Party; Noise Disturbance; (2), (3), (4) and (5); Sec. 62-95. Owner's and Lessee's Responsibility; Sec. 62.94. Enforcement; Sec. 62-96. Noise Disturbances Prohibited Generally, (1), (2), (3), (5), (6), (7), (8) and (9); Sec. 62-97. Specific Prohibitions, (a), (2), (a),1,2,3, b, c, (4) and (13) of the City of Winter Park Code of Ordinances.

The Respondent has been properly notified per regular and certified mail and posting to satisfy the due process requirements of Florida Statutes chapter 162 and City Code section 2-109.

The Respondent is ordered to cease all illegal activities, including open house parties, and to adhere to the City of Winter Park's Noise Disturbance code provisions effective immediately. Failure to comply with this Order will result in fines of up to \$250.00 per day for a single violation or \$500.00 per day for each repeat violation. The Respondent is further ordered to contact the City's Safety & Code Compliance Officer by January 18, 2026, and provide documentation that he has provided this Order to all occupants of the Subject Property, has demanded their compliance to avoid eviction, and has taken any other action to ensure their compliance with this Order, including but not limited to evicting the tenant(s).

Mr. Bond seconded the motion.

Ms. Matt asked if the order should include "and their parents" after "all occupants." Mr. Johnson replied that the occupants are over 18. Mr. Geller added that, typically with these types of leases, the parents are guaranteeing the lease.

Mr. Bond offered an amendment to the order, changing the word "occupants" to "tenants".

ROLL CALL VOTE FOR AMENDED MOTION:

Steve Heller	Yes
Kristen Matt	Yes
Wayne Johnson	Yes
Paul Mandelkern	Yes
Carlos Diez-Arguelles	Yes
Doug Bond	Yes
Melissa Blaney	Absent

Motion passed unanimously 6-0.

Mr. Johnson excused those who came to speak and the meeting. Mr. Bond thanked the police officers for coming.

6. Non-Action Items

None

7. Staff Updates

None

8. City Attorney Reports

Mr. Geller provided an update on Atlantic Oasis Trust, owner of the illegal rental house on Barker Drive. The court has granted Mr. Peckham, who represents the trust, a 30-day extension of time in which to file an initial brief.

Mr. Mandelkern asked if they granted a stay. Mr. Geller stated Mr. Peckham has not filed a motion for stay yet, but he would expect him to do so.

9. Board Comments:

Ms. Matt asked the Board how it came to be that the Via Tuscan case was turned into a lien by the city, and what is preventing other cases with increasing fines from not having liens. Mr. Geller responded that whenever the Board issues an order issuing fines, staff then records it in the Public Records of Orange County. Once it is recorded, it becomes a lien, an encumbrance on the property. There are certain restrictions the city has as to what it can and cannot foreclose. The property that was before the Board today is not Homestead property, so the city can foreclose it. In the 6 Isle of Sicily case, where the owner tore down every single living tree, the property was claimed as Homestead, and is protected by the Florida Constitution from foreclosure.

Ms. Matt asked what avenue the city has to collect on accrued fines, if there was an end in sight. Mr. Geller responded potentially, if the property sells the city still has a lien. A title company would ordinarily contact him before the closing and request information so they can satisfy the lien out of the sales proceeds.

Mr. Johnson mentioned that in the Gary Moore case for property on Whitesell Drive, he wrote the city a check to avoid foreclosure.

Mr. Mandelkern asked if most mortgages required the mortgagee to keep the property free of all liens. Mr. Geller said that they often don't care about subordinate liens and it may depend on the property.

10. Upcoming Agenda Items

Division Manager Susanne Porras informed the Board of three cases on the schedule for the February 5, 2026, meeting, and possibly a fourth.

Mr. Bond asked if any of the four cases were regarding trees. Ms. Porras responded no. Mr. Arguelles asked what happened to the Tree Board, Mr. Geller responded that this Board assumed the duties of the Tree Board. Ms. Porras added that this Board handles Nuisance and Abatement, Code Compliance, and now Tree Appeals.

11. Adjournment

Board Member Paul Mandelkern made a motion to adjourn. Board Member Kristin Matt seconded.

VOTE:

Steve Heller	Yes
Kristen Matt	Yes
Wayne Johnson	Yes
Paul Mandelkern	Yes
Carlos Diez-Arguelles	Yes
Doug Bond	Yes
Melissa Blaney	Absent

Motion passed 6-0.

ATTEST:

Approved by the board on February 5, 2026

Susan Pruchnicki

/s/ Susan Pruchnicki, Board Secretary