

A **Special Magistrate** was held on September 17, 2025
was called to order at 2:30 PM, Adjourned 3:30 PM.

Code Enforcement and City Representatives Present:

Kevin Wagner, Special Magistrate
Lawonda Warren, Assistant City Attorney
Marc Woods, Code Enforcement Officer
Connor Lee, Code Officer for Clean & Safe
Susan Frishman, Code Enforcement Officer
Deon Bass, Utilities Inspector
Amy Alvarez, Assistant Development Services Director

Owners and/or Respondents Present:

Terrence Ellis, Owner's Son
Rettig Talbot, Property Owner
Nick Conner, Owner of Safe House Sober Living
Lidor Schiesinger, Property Owner
Dorit Wittenstein, Property Owner
Michelle Wittenstein, Owner's daughter

Minutes Approved- June 18, 2025 and August 20, 2025

Resolution of Original Agenda: None

Case 1 – 23-0001614

Owners Name: Thelia Smith Ellis

Property Address: 45 SW 12th Avenue (Unsafe Property)

Code Officer: Connor Lee

Violation – Maintenance of Unsafe Building – 7.8.3

Code Officer, Connor Lee testified that he observed to condition of the property due to fire the property is unsecure which is a violation of code section 7.8.3 Maintenance of Building.

Mr. Lee presented 14 exhibits into evidence.

Lawonda Warren, Assistant City Attorney, entered 14 exhibits into evidence without objection.

Terrence Ellis, son of the property owner was present. Terrence did not have permission from the property owner to represent him at the hearing. Mr. Ellis stated that he would have the property

secured quickly.

Kevin Wagner, Magistrate, ordered the respondent must secure the property within 7 days or a daily fine of \$200.00 will be imposed on the property.

Case 2 – IR 25-000183

Owners Name: Rettig & Trudy Talbot

Property Address: 515 NW 12th Street

Code Officer: Susan Frishman

Violation – Discharge into the sewer system – 53.012 (A)

Rettig Talbot, owner of the property was present.

Susan Frishman, Code Enforcement Officer, received notification from Code Administrator, Enrique Fernandez, that a resident was discharging pool water into our sewer drainage system. Susan Frishman stated that the photos were taken by a city employee, Deon Bass who is an engineer inspector for The City of Delray Beach. Mr. Bass initiated investigation and documented the discharge. Mr. Bass contacted code enforcement to create a violation. Based on the information obtained from the investigation, a violation was sent to the owner code ordinance Section 53.012 (A).

Deon Bass, inspector for the city engineer's department testified that he witnessed the hose coming from the back of the property and discharging the pool water directly into the drainage system on the street.

Lawonda Warren, Assistant City Attorney, questioned Deon Bass in reference to the photo and entered 3 exhibits into evidence without objection.

Rettig Talbot, property owner, stated that he was having his pool rehabilitated and the contractor who emptied the pool stated that this was the correct way to discharge the pool water. Mr. Talbot stated there have been no pool chemicals had been placed in the pool for a week or two and that minimal chemicals would have been discharged into the street.

Kevin Wagner, Magistrate, stated there was good notice ordered was irreparable in nature and the respondent will be given a one-time fine in the amount of \$3,500.00 to be paid within 90 days.

Case 3 – 25-000214

Owners Name: Lidor Schiesinger

Property Address: 347 NW 6th Avenue

Code Officer: Marc Woods

Violation – Recertification – 2.4.11 (E)(10)(a)

Lidor Scheisinger, owner of the property, was present.

Code Officer, Marc Woods testified that the resident was running a Community Residence without FAR certification. The certification was revoked. FAR notified development services department which notified code enforcement and a violation was written.

Lawonda Warren, Assistant City Attorney, questioned Marc Woods in reference to Community Residence and what needed to run a community home.

Lidor Scheisinger, owner of the property, stated that he did not realize that the certification was revoked.

Lawonda Warren questioned Amy Alvarez, Assistant Development Services Director, regarding what was required to have a Community Home with the City of Delray Beach. Ms. Alvarez department was process request for FAR, Florida Association of Recovery, certification. Amy Alvarez stated that the department received a letter from FAR that the certification had been revoked. Concerns were background screening issues and life safety concerns. The mail remains in despair as noted by FAR inspection.

Lawonda Warren, Assistant City Attorney, entered 1 exhibit, a letter from FAR into evidence without objection.

Nick Connor, Owner of Safe House Sober Living, testified that the reason his certification was revoked was because he can not pass a level II background check. They are in the process of changing all certifications into a different name. Mr. Connor asked for more time to come into compliance.

Kevin Wagner, Magistrate, ordered that the owner needs to come into compliance or cease operations within 72 hours or a daily fine of \$500.00 will be imposed on the property.

Case 4 – 25-000215

Owners Name: Dorit Wittenstein

Property Address: 14947 Whatley Road

Code Officer: Marc Woods

Violation – Community Residences application

Dorit Wittenstein, owner was present and Michelle Wittenstein, daughter of the owner.

Code Officer, Marc Woods testified that the resident was running a Community Residence without FAR certification. Marc Woods testified stating that the community residence is not certified or has any registered licensing to help recovery housing to the residents. The owners were advertising on facebook.

Amy Alvarez, Assistant Development Services Director, stated that the residents did not have a license for the Community Residence. There has never been an application for a community residence with The City of Delray Beach.

Michelle Wittenstein, owner's daughter, testified that she did not realize they needed a license to have three people living in the home. Ms. Wittenstein asked if the next step is to complete an application. Two of the residents are over 70 and need assistance and they drive them to dialysis three times a week.

Lawonda Warren, Assistant City Attorney, questioned Ms. Wittenstein and asked if anyone living in the home attending regular meetings for substance abuse. Ms. Wittenstein stated two of the residents was recovering but from years prior and attends regular AA meetings. She stated that she helps the residents go to and from doctor's appointments and dialysis. The three residents that live in the home are not related.

Lawonda Warren entered 1 exhibit, a Facebook Post, into evidence without objection.

Kevin Wagner, Magistrate, ordered that the owner needs to come into compliance or cease operations within 72 hours or a daily fine of \$500.00 will be imposed on the property.

Minutes were approved.

Adjournment 3:30 PM

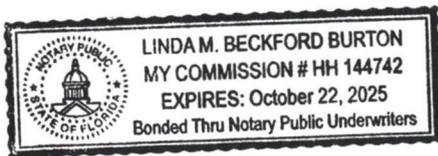
Special Magistrate Hearing
September 17, 2025
Meeting Minutes

The undersigned is the Secretary of the Special Magistrate, and the information provided herein is the minutes of the meeting of said Special Magistrate Hearing on September 17, 2025, which minutes were formally approved and adopted by the Special Magistrate on October 1, 2025.

ATTEST:



MAGISTRATE



MAGISTRATE LIAISON

NOTE TO READER: If the minutes you have received are not completed as indicated above, this means they are not the official minutes of the (Board Name). They will become official minutes only after review and approval, which may involve some amendments, additions, or deletions.