

AFFIDAVIT

1. My name is Nolan R. Aliff (Ron). I am over the age of 18 years and have direct knowledge of all matters attested to herein.
2. I have been employed by Hernando County for approximately 11 years and have held the position of field investigator since October 2001. In that position, I am employed within the Building Department and specifically employed within the Contractor Licensing Division of the Development Services Department.
3. Grant Tolbert was appointed the building official in 1990 and is my direct supervisor.
4. Under Mr. Tolbert's management, the Department consists of the Building Division, Zoning Division, and Contractor Licensing Division. These all come under Development Service, of which Mr. Tolbert is the director.
5. I learn of unsafe buildings either from direct complaints made by Hernando County residents or when obvious defects come to my attention as I generally tour the County's jurisdiction.
6. At all times relevant hereto, the procedures that the County has used in abating unsafe structures has remained constant through the different ordinances and statutes that have been adopted by the County and state. I will briefly discuss these procedures as they may apply to this case.
7. First, when specific complaints are made of residential structures, I obtain permission from the tenant to enter upon the property and conduct a preliminary inspection to determine whether obvious code violations exist, which require a more formal building and electrical inspection. If I believe a subsequent inspection is required, I make an appointment with the tenant to return at a specific time and place with the inspectors.
7. A formal inspection is then made by inspectors that are certified by the state to have expertise to enforce the different electrical, structural or sanitary codes which the County or the state have adopted.
8. Once the inspectors make a determination that the structure contains a defective condition in which the relevant code renders the structure unsafe, I request the title information to the address from an independent title company. The title company reviews the chain of title for the specific property to determine the owner of record.
9. I then notify the owner that the structure is not in compliance with the codes in three ways: (i) a Notice of Unsafe Building is mailed to the owner through the United States Postal Service, Certified, Return Receipt requested; (ii) a Notice of Unsafe Building -- Do not Occupy is affixed directly upon the structure which also contains the Notice of Unsafe Building which is mailed to the owner; and (iii) the Notice of Unsafe Building which is mailed to the

owner is also posted on a community bulletin board located at Hernando County's central place of business.

10. The Notice generally serves three purposes. First, it advises the owner of the specific defects which render the structure out of compliance with the relevant codes; second, it advises the owner of their right to have the findings of the inspection reviewed; and third, warns the owner that the failure to abate the unsafe condition could result in the County abating the unsafe condition at the owner's expense. Generally, owners are permitted 30 days to apply for permits to correct the defective conditions. When permits are issued, the owner is generally provided 30 days to complete the work. However, once an owner takes action to correct code violations, the County enjoys greater discretion to grant extensions of time.

11. In the event the owner makes no effort to abate the unsafe condition, the above procedure is specifically reviewed by the building official, who executes an affidavit that these procedures have been complied with. At that point, the County requests bids from demolition contractors to remove the unsafe structure, hires the contractor, obtains a demolition permit, and demolishes the structure and removes the remaining debris.

12. The above outlined procedure complies with the procedural requirements that both the County and the State have adopted throughout the relevant time period.

13. In June 2003, I received a complaint from Shirley McQueary, who identified herself as a tenant in a mobile home located at 16383 Seminole Boulevard, Hernando County, Florida. Ms. McQueary complained, among other things, that the air conditioning was not working, and there was one wall that could be pushed and moved, giving her concerns about the structural stability of the mobile home. As a result of her complaint, I visited the mobile home on June 4, 2003. At that time, I observed what appeared to me to be obvious and multiple violations of structural, electrical and environmental codes.

14. As a result of my preliminary investigation, I obtained a right of entry from Ms. McQueary on June 5, 2003 and returned to the premises accompanied by several County inspectors. The inspectors confirmed that there were violations of code that which, in their opinion, rendered the structure to be unsafe. Photographs depicting some of the conditions will be provided as a composite exhibit.

15. I then made a request of Home/Land Title, Inc. to determine the ownership of the premises. I was advised that the recorded owner was a person named Mary Cobb. Based on that information, I mailed a Notice of Unsafe Building to Mary Cobb at the address listed in the public records, Certified Mail No. 7002 0460 0001 7770 2849. Consistent with the existing codes at the time, Notice of Unsafe Building specifically listed the defects in the structure that constituted violations of code, advised the owner of her obligation to repair or demolish the

unsafe structure, and provided her review rights if she wished to challenge the findings of the inspectors. I also posted a copy of the Notice of Unsafe Building on the structure located at 16369 Seminole Boulevard, and on the community bulletin board located in the Administrative Wing Atrium at the County's primary place of business. The notice that was sent through the United States Mail was returned unclaimed on July 17, 2003.

16. On November 3, 2003, I verified that all of the above actions were taken.

17. On July 8, 2003, a Motion for Temporary Injunction preventing the County from taking further action on the premises was filed by a Jacob Spinoza in the Circuit Court of the Fifth Judicial Circuit in and for Hernando County, Florida, Case No. H-27-CC-2003-000549. Because this matter came under court review, the Department ceased taking any further activity. To the best of my knowledge, the structure continues to remain in an unsafe manner, but is currently unoccupied and the electric power service has been disconnected.

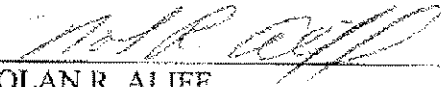
18. On June 25, 2003, I received a complaint about a structure from Ruth Trout that identified herself as a tenant in a house located at 8023 Winter Street, Hernando County, Florida. On that same date, I obtained a right-of-entry. Based on the right-of-entry, I conducted my preliminary inspection and observed what I perceived to be defects in the structure of the residence, which would constitute violations of structural and electrical codes. The results of the inspection were depicted on a videotape which will be marked for identification as an exhibit. Upon returning to my office, I requested that Home/Land Title, Inc. conduct a title search of the property to determine the owner, and I was advised that the property was owned by Margery Spinoza. Further, I scheduled a formal inspection with the various building and electrical inspectors, as well as the tenant, which was conducted on June 27, 2003. I provided notice of the results of their inspections to Margery Spinoza in a Notice of Unsafe Building by Certified Mail No. 7002 0460 0001 7770 2870 on June 30, 2003. Again, in keeping with procedures developed by both state statutes and County ordinances, I also posted the Notice of Unsafe Building on the structure located at 8023 Winter Street, and placed a third copy of the Notice at the Hernando County Administrative Wing Atrium at its primary place of business. Once again, the Notice that was provided by certified mail, was returned July 7, 2003. Nevertheless, I know that Mr. Abele had actual knowledge of the notice because he specifically called me and discussed it with me. I was also advised that Mr. Abele had removed the Notice, which required me to go to the structure.

19. Once again, the above procedures were specifically reviewed and approved by my supervisor, Grant Tolbert.

20. More than sixty days elapsed without either the owner or a licensed contractor applying for a permit to perform work on the structure, bringing it up to the standards of code. As a result, I made a request for bids among demolition contractors to abate unsafe structure.

The successful demolition contractor applied for and obtained a demolition permit, the electric utility was notified to discontinue service, and the unsafe structure was razed and the debris removed. Final inspections were conducted and a lien against the property was prepared and recorded for the cost associated with abating the unsafe structure.

FURTHER AFFIANT SAYETH NAUGHT.



NOLAN R. ALIFF

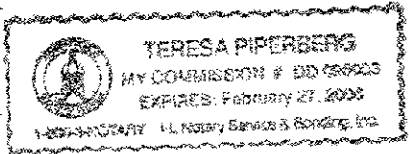
STATE OF FLORIDA:
COUNTY OF ORANGE:

Sworn to and subscribed before me
this 3d day of February, 2005.



Signature of Notary

Name of Notary (printed or typed)



My commission expires:

Personally Known
 Produced Identification

Type of Identification Produced: _____