

AGENDA
CITY OF KEY COLONY BEACH
CODE COMPLIANCE HEARING
Wednesday, May 13th, 2026 - 9:30 AM
Virtually - via Zoom Only

1. **Call to Order:** The 9.30. Called to order. **Present:** City Attorney Jim Hicks, Code Officer Martha Dreyer, Respondent Vu Luong, City Clerk Silvia Roussin.

Judge van Laningham read the Florida Statutes under Section 1 and 2 into the record.

2. **Pursuant to Florida Statutes Section 286.0105**, be advised that, if a person decides to appeal any decision made by the Special Magistrate with respect to any matter considered at today's hearing, that person will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeals is to be based.
3. **Pursuant to Florida Statute Section 162.07**, if the City of Key Colony Beach prevails in prosecuting a case before the Special Magistrate, the City of Key Colony Beach shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under Section 162.06(3), Florida Statutes.
4. **Swearing in of Witnesses to Testify:** Judge van Laningham provided the Oath of Witness to the Code Officer and the Respondent.
5. **Cases for Today's Hearing**
 - a. Property Address/Owner: 320 5th Street – L&C Investment Partners, LLC and Vu Luong
Violation: Rental Without a License, Chapter 9, Sections 9-22, 9-28
 1. EXHIBIT A: City of Key Colony Beach Code of Ordinances – Sections 9-22 through 9-28
 2. EXHIBIT B: City of Key Colony Beach Code of Ordinances – Sections 1-9 through 1-10
 3. EXHIBIT C: Warranty Deed, 320 5th Street
 4. EXHIBIT D: Property Record Card
 5. EXHIBIT E: 25/26 Monroe County Business Tax Receipt
 6. EXHIBIT F: Code Violation & Correction Notice 4/13/2026
 7. EXHIBIT G: Correspondence between the City and Property Owner
 8. EXHIBIT H: Checklist for Issuing Vacation Rental Licenses (STR)

City Attorney Hicks introduced the matter and provided a brief procedural overview. At the Court's direction, the City proceeded with presentation of its evidence. Code Officer Martha Dreyer was called as the City's first witness and testified regarding her duties and responsibilities, including oversight of vacation rental matters, inspections, and related compliance requirements. Mr. Hicks moved Exhibits A and B into evidence, which were received by the Special Magistrate. Ms. Dreyer then testified regarding the checklist for issuing vacation rental licenses and the correspondence between the City and the Respondent. She outlined the timeline of events, beginning with the discovery of the violation, including the property's occupancy by renters, communications with City staff regarding the license application process, scheduling of the required safety inspection, and the failure to complete all inspection requirements. Ms. Dreyer further testified regarding subsequent communications with the Respondent, the issuance of the Code Violation and

Correction Notice, and her investigation into the property's ownership, including a review of the warranty deed and Monroe County Property Appraiser records. She identified Exhibit F as the Code Violation and Correction Notice and also testified regarding Exhibit E, the 2025–2026 Monroe County Business Tax Receipt. Ms. Dreyer additionally testified about complaints and observations involving the property, including accumulation of trash and debris and loose dogs on the premises, and stated that the prior violation had not been cured. Upon request from the Respondent, the Court permitted clarification on certain testimony. Ms. Dreyer also testified that the process for obtaining the required vacation rental license was reasonable and that the property did not have a current license during the rental period. After review, the Special Magistrate admitted all exhibits into evidence without objection. The Respondent declined to question Ms. Dreyer, and the City presented no additional witnesses.

During the hearing, a brief technical interruption occurred affecting the Respondent's connection. The Court confirmed that Mr. Luong was again able to hear and see the proceedings, and the hearing continued.

City Attorney Hicks argued that the rental occupancy began on March 4 and emphasized that the City had clearly communicated the licensing requirements, provided repeated notice, and afforded the Respondent multiple opportunities to achieve compliance. He stated that the purpose of the licensing process was to protect renters and that completion of the safety inspection was the most critical component. Based on the seriousness of the violation, Mr. Hicks argued that the City was entitled to a fine of \$250.00 per day for the period of noncompliance, but was not requesting prospective ongoing fines.

Mr. Luong acknowledged that the fire and safety inspection was critical but maintained that the City had accepted the inspection date and that all other licensing requirements had been completed. He reiterated that he had remained in communication with City staff and requested that the Court consider the circumstances fairly, asserting that the inspection was not completed because the tenants did not allow access. Mr. Luong suggested that, if fines were assessed, a fair period would be from March 28 through April 25. He further testified that he had removed the tenants when compliance could not be achieved, that the property had since been cleaned, and that he did not intend to rent the property again until all requirements were satisfied.

The Special Magistrate stated that, based on the exhibits and testimony presented, the violation had been established. The Court found that the violation ceased as of April 26, 2026, when the tenants vacated the premises, and noted no evidence of continued vacation rental activity thereafter. The Special Magistrate further indicated that no prospective relief appeared necessary beyond the prior cease-and-desist directive. The Court stated that it would take the matter under advisement, further review the exhibits, and issue a final order, including an assessment of fines.

6. Adjournment: The Hearing was adjourned at 11:37 AM.

Respectfully submitted,

Silvia Roussin

City Clerk