



**VISION**  
A vibrant, innovative, culturally-inclusive, world-class community.

**MISSION**  
A community working together to achieve an exceptional quality of life.

**NUISANCE ABATEMENT BOARD**  
**January 21, 2026**

**CALL TO ORDER – 3 p.m.**

**JD Arbuckle**  
**John Quirk III**  
**Ryan Duke**

**ROLL CALL**  
**Cyle Rickner**  
**Elena Giarratano**  
**Alonzo Thompson**

**Daniel Price**

**Election of Officers**

Chair  
Vice Chair

**Approval of Minutes – September 17, 2025**

**SWEAR IN WITNESSES**

Do you swear or affirm that the evidence you are about to give will be the truth, the whole truth, and nothing but the truth?

**NEW COMPLAINTS**

**None at this time.**

**RECONSIDERATION**

**2025-005 815 N. Mass Ave.**  
**815 N Mass Ave LLC**

**CALL FOR ADJOURNMENT<sup>1</sup>**

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<sup>1</sup> Immediately following the NAB Hearing, there will be a training session in the City Commission Conference Room.

# DRAFT

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Nuisance Abatement Board

September 17, 2025

## **Nuisance Abatement Board September 17, 2025**

The Nuisance Abatement Board met in the City Commission Chambers. Members John Quirk III (Chair), Terry Carter (Vice Chair), David Stille, Alonzo Thompson, Elena Giarratano, and Ryan Duke were present. Member Daniel Price was absent. Assistant City Attorney Alex Landback, Police General Counsel David Carmichael, and Deputy City Clerk Heather Bradman were present.

Chair John Quirk called the meeting to order at 3:00 p.m.

Deputy City Clerk Heather Bradman called the roll for attendance.

### **Approval of Minutes – July 16, 2025**

**Action: Terry Carter moved to approve the minutes. David Stille seconded, and the motion carried unanimously.**

Assistant City Attorney Alex Landback swore in the witnesses.

Chair John Quirk introduced new member, Ryan Duke.

### **NEW COMPLAINTS**

#### **Case #2025-006; 823 West 5<sup>th</sup> Street**

This case moved to first on the agenda due to its brevity. The property meets the criteria for a nuisance, but the title remains in the name of a deceased owner. One heir, Ronnie Rue, is currently incarcerated. Due to due process concerns and absence of vested parties, the case was continued to allow time to notify family members and determine legal standing.

#### **Case #2025-005; 815 North Massachusetts Avenue**

Officer Hammersla gave a presentation as to the facts underlying the complaint, a copy of which is on file in the agenda packet and incorporated by reference. The tenants of this commercial property have engaged in or allowed repeated criminal and nuisance behavior. There are public safety concerns due to loitering, harassment, and drug activity. There was evidence submitted by LPD which included surveillance footage and public records.

Evidence of activities shown include open consumption of alcohol, intoxication, use and possession of narcotics, and sale of narcotics. Solicitation of prostitution appears to be occurring in the parking lot, but investigation is ongoing. The store itself sells items which are lawful but are frequently associated with and used for the purpose of drug paraphernalia. These include glass tubes and containers for use as pipes for use of

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narcotics, and ordinary household products (such as Brillo pads) which are frequently used as filters for the smoking of narcotics. There are an unusual number of items sold in a relatively small store that are immediately identifiable as drug paraphernalia. Individuals have been observed purchasing glass tubes in the store and then arrested shortly thereafter having used the same item as a pipe for smoking narcotics. By making drug paraphernalia readily available and cultivating an environment which attracts criminal behavior, there is a nexus between the operation of the store and criminal activity.

In the past year, the property has been used on at least three occasions as the site of the sale of a controlled substance and has been the site of felony possession of a controlled substance on multiple occasions. The specific case records were identified in the presentation and are contained in the complaint.

The property owners failed to take corrective action despite repeated attempts to resolve these issues outside of this context. Despite those efforts, the activities persist and have continued without any meaningful change since LPD has engaged the property owners.

Multiple diversion efforts were made by the City with no meaningful response from the property owners. To date, the only change implemented by the owners has been removing visual obstructions from the windows. There is an individual who appears to perform security on a part time basis, but he is believed to be a relative of one of the tenants. The business employs local homeless people to perform manual labor around the property, but some of those individuals are on a trespass authorization list maintained by the owners with LPD. Likewise, other employees for the tenant permit or participate in the activities occurring outside the front of the store.

Department of Alcoholic Beverages and Tobacco (ABT) Agent Caffarelli and LPD inspections documented open drug use and illegal gambling (two machines). Ongoing fraudulent activity reported, including misuse of EBT cards.

Assistant City Attorney Alex Landback clarified for the record that violations involving State licensing, EBT fraud, and unpaid local business taxes are outside the purview of the Nuisance Abatement Board and not within its jurisdiction. These details are provided by LPD as supplemental background only and are not to be considered as evidence of nuisance conditions by the Board

Officer Granas (Special Investigations Section) informed the Board that in August 2025, a city-wide investigation was launched into illegal gambling machines. The subject property was found to contain two such machines.

Member David Stille left the meeting at 4:07 p.m.

Property owner Odel Odeh disputed the claims made during the hearing, stating that 90% of what was said by LPD is not true, and that the property is fine now.

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Member Terry Carter questioned whether the photos submitted showing issues through mid-September were fabricated. Mr. Odeh claimed that after August 16, the property was cleaned, and the issues were resolved.

Mr. Odeh also asserted that activities occurring outside the business were beyond their control. However, the Board clarified that the parking lot is part of the premises and remains the responsibility of the property owner and tenants.

Police General Counsel David Carmichael indicated that multiple community members were present to support the nuisance finding. He noted that other local business owners and community representatives (including from Parker Street Ministries and Talbot House) had witnessed ongoing issues since the last meeting. These organizations expressed strong concern over the continuing nuisance and lack of remediation.

David Carmichael clarified that LPD is not asking to specifically shut down this commercial property for a year. Instead, they have a list of requested sanctions they the property owners could abide by which Officer Hammersla will review in detail with the board.

Commissioner Guy LaLonde addressed the Board, stating that he had personally witnessed illicit transactions at the property on his way to City Hall. He recommended a one-year closure, citing ongoing deflection and inaction by the property owners. The broader responsibility of business owners is to comply with local codes and regulations.

Crystal Davis, owner of Crystal's World of Dance, testified that her business has been repeatedly impacted by loitering and harassment from individuals around the subject property. In 2023, she contacted the property owners regarding ongoing nuisance activity, receiving no resolution. She was forced to hire additional staff to ensure safe entry for students during peak hours. Her business has lost more than 23 students due to safety concerns.

Laura Shannon, owner of Haus Management, which operates Haus 820 across the street, stated the nuisance activity has persisted since at least 2017, with no noticeable improvement. More severe enforcement action is necessary and appropriate. Her event venue building has windows facing Massachusetts Avenue and hosts a variety of events (75–1,000 attendees) which have a clear view of the store across the street and the activity occurring there, requires a safe and secure neighborhood. The current environment has negatively affected their operations and public perception.

David Carmichael concluded the presentation by recommending that the Board find the property to be a public nuisance based on documented illegal drug activity.

David Carmichael noted that while the property qualifies for a one-year closure and the maximum fine of \$15,000, he proposed the Board consider an alternative approach, like those used in other jurisdictions (e.g., Daytona Beach). This approach would include a remediation period and specific conditions for reopening based on demonstrated

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Nuisance Abatement Board

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compliance. A list of proposed sanctions was distributed to the Board and is on file in the agenda packet.

**Action: Member Terry Carter moved to find the commercial property a nuisance. Member Ryan Duke seconded, and the motion carried unanimously.**

David Carmichael explained that the relevant statute allows for a maximum fine, but enforcement specifics are at the discretion of the Board. A reimbursement of city efforts (such as investigative and legal costs) is one way to codify financial recovery for the city's response to the nuisance activity.

Alex Landback clarified that some requested sanctions were not explicitly listed in the statute but could be justified if a clear nexus exists between the condition imposed and correcting the nuisance. For example, requiring the business to come into compliance with all local and state regulations would be lawful. Itemizing costs by dollar amount is not necessary as they may fluctuate daily. Instead, conditions can be imposed in general terms. As long as there is a reasonable connection to abating the nuisance, the Board may lawfully impose such measures.

Member Elena Giarratano inquired about the consequences for non-compliance. Alex Landback explained that under the ordinance, a fine of up to \$15,000 may be imposed. Generally, the Board may impose fines of up to \$250 per day for a maximum of up to \$15,000. For recurring nuisances, such as a repeat offender, the daily fine can be up to \$500 for the same maximum total of \$15,000.

Member Terry Carter emphasized the City's investment in addressing this ongoing nuisance. He recalled that the City had installed a surveillance system to monitor the criminal activity occurring on the property for a reason. He stated that closure alone may not be sufficient, and he was inclined to support both closure and a fine.

**Motion: Member Terry Carter moved to close the property for one year with a standard 30-day delayed effective date and \$5,000 fine to recover legal and investigative costs.**

Member Alonzo Thompson asked why the City had included a list of requested sanctions. Staff responded that these were examples of conditions that could help prompt meaningful corrective action from the property owners.

Officer Hammersla noted that the property had previously evicted the problem tenants, but similar issues continued under new tenant business entities with the same owners.

Property owner Raia Odeh raised a concern about Talbot House residents potentially relocating into the vacated property. Staff assured the Board that the property would be boarded up and secured, and entry would be illegal during the closure period.

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Member Elena Giarratano asked about recovering the cost for the surveillance camera. Officer Hammersla noted that the Lakeland Police Department was not requesting reimbursement for the surveillance system. It was shown in the line item costs for information purposes only. The City will still use the camera.

**Action: Member Elena Giarratano seconded the motion.**

Alex Landback clarified that the owners would have 30 days to appeal the Board's decision from the date the written order is signed. The actual closure would take effect 45–60 days from the date that the written order is signed. The fines and costs imposed would also need a due date. For example, it could be due within 90 days of issuance of the order, just as long as it's within the 12-month jurisdictional period. Regardless, the order will be recorded, and unpaid fines may constitute a lien against the property. The Board agreed with this.

**Amended Action: Member Terry Carter further amended his motion to include a one-year closure of the property, with the following conditions: the owners will have 30 days from the date the order is issued to appeal the Board's decision; the closure will take effect 45 days after the order is issued; and the \$5,000 fine, which includes reasonable costs and attorneys fees associated with this case, must be paid within 90 days of the execution of the written order.**

**Action: Member Elena Giarratano seconded the amended motion, which carried unanimously.**

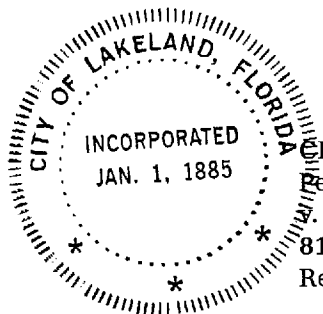
The meeting adjourned at 5:03 p.m.

Certified as a true and correct copy of the original document(s) on file in the office of City Clerk, City of Lakeland, Florida.

this 15th day of October 2025

Kelly S. Koos  
Kelly S. Koos, City Clerk  
City of Lakeland, Florida  
(Seal)

INSTR # 2025246426  
BK 13743 Pgs 2131-2136 PG(s)6  
10/20/2025 10:32:52 AM  
STACY M. BUTTERFIELD,  
CLERK OF COURT POLK COUNTY  
RECORDING FEES 52.50



NUISANCE ABATEMENT BOARD  
CITY OF LAKE LAND, POLK COUNTY, FLORIDA

CITY OF LAKE LAND, FLORIDA,  
Petitioner

CASE NO. 2025-005

815 N MASS AVE LLC,  
Respondent

*Property Address:*  
815 N. Massachusetts Avenue  
Lakeland, FL 33801

*Legal Description:*  
\*\*\*DEED APPEARS IN ERROR\*\*\*  
SCHIPMANS SURVEY DB G PG 360 361 BLK  
20 LOT 3 LESS S 15 FT & THAT PORTION OF  
S1/2 LOT 5 DESC AS BEG SW COR S 1/2 LOT  
5 RUN N 38 FT E 75 FT S 10.94 FT E 60 FT S  
26.67 FT W 135 FT TO POB

FINAL ORDER OF NUISANCE ABATEMENT BOARD  
OF THE CITY OF LAKE LAND

This complaint was heard by the Nuisance Abatement Board ("Board") of the City of Lakeland, Florida on September 17, 2025. The Board, having received sworn written complaint, testimony, affidavits, other competent evidence, and being otherwise fully advised in the premises, issues its findings of fact, conclusions of law, and orders as follows:

FINDINGS OF FACT

1. The Respondent, 815 N MASS AVE LLC, is the titled owner of the subject commercial property located at 815 North Massachusetts Avenue, Lakeland, FL 33801 ("Subject Property"). The Subject Property primarily consists of a convenience store, operated by a commercial tenant, with a parking lot located in the front along Massachusetts Avenue.
2. The Complaint and Notice of Hearing were duly served on the Respondent, and the Board has jurisdiction over the matter. The sworn complaint is attached to this Order and incorporated by reference ("Complaint").
3. The Respondent had the opportunity to appear before the Board, in person or through legal counsel, to offer evidence in defense of or in mitigation against the Complaint. Raia Odeh and Adel Odeh, owners of 815 MASS AVE LLC, appeared on behalf of Respondent.
4. Testimony and evidence presented by the Lakeland Police Department established a persistent and ongoing pattern of criminal activity occurring at or directly related to the subject property.

5. The Board received sworn testimony from Officer Michael Hammersla, who is assigned to the Neighborhood Liaison Section of the Lakeland Police Department and has over 30 years of experience in narcotics and nuisance investigations.
6. Ofc. Hammersla documented the ongoing nuisance and narcotic activities occurring at the Subject Property, including open consumption of alcohol, public intoxication, use and possession of narcotics, sale of controlled substances, and other assorted criminal activity.
  - a. Over the past decade, law enforcement has received over 2,600 calls for service at or around the subject property. Between April 1, 2024 and March 31, 2025 alone, there were 323 calls for service and 113 arrests at this location.
  - b. Between September 8, 2024 and June 1, 2025, there were at least fourteen (14) arrests for narcotics-related offenses connected to the location:
    - (1) September 8, 2024: Officer witnessed a hand-to-hand transaction; buyer arrested with crack cocaine and marijuana.
    - (2) September 20, 2024: Officer observed a transaction in a vehicle; buyer arrested with possession crack cocaine; seller later charged.
    - (3) September 20, 2024: Officer arrested previously trespassed subject in possession of methamphetamine.
    - (4) November 13, 2024: Officer arrested a previously trespassed subject in possession of a trafficking quantity of fentanyl; charged with sale/delivery.
    - (5) November 20, 2024: Officer arrested a loitering subject in possession of methamphetamine.
    - (6) December 18, 2024: Officer arrested a loitering subject in possession of cocaine.
    - (7) December 21, 2024: Officer arrested a subject for possession with intent to sell counterfeit methamphetamine; suspect admitted to ongoing sales.
    - (8) January 1, 2025: Officer arrested previously trespassed subject for possession of methamphetamine.
    - (9) January 10, 2025: Arrest for Possession of Synthetic Drug, and Poss. of Drug Paraphernalia.
    - (10) January 18, 2025: Officer pursued a suspect who discarded baggies containing cocaine.
    - (11) February 14, 2025: Possession of Heroin, Armed Trespass
    - (12) February 14, 2025: Possession of Cocaine, Possession of Paraphernalia on a previously trespassed subject.
    - (13) April 15, 2025: Resisting Officer without violence and Possession of Paraphernalia
    - (14) April 15, 2025: Cannabis Possession



7. Ofc. Hammersla testified that the property continues to serve as a regular gathering point for convicted felons and other individuals engaged in the use and distribution of illegal narcotics. Store employees are observed mingling with such individuals without reporting or discouraging the conduct, and in some cases appear to facilitate or tolerate the activity.
8. LPD has previously provided written warnings to the Respondent. On June 2, 2025, LPD eventually discussed the issues with the Respondent, who either denied knowledge of what was occurring or faulted a nearby homeless shelter. The Respondent likewise had blamed a former employee for excessively requesting LPD to respond to the location.
9. After speaking with the Respondent on June 2, 2025, the issues persisted, with at least 10 calls for service documented over a 2-week period, including an arrest for the sale of narcotics at the Subject Property.
10. This culminated in the filing of the original sworn nuisance abatement complaint, which was heard by the Board on July 16, 2025. As reflected in the approved minutes from that hearing:

*Alex Landback swore in Adel Odeh and Raia Odeh.*

*The property owners, Adel and Raia Odeh, who lease the commercial space, expressed a willingness to cooperate. They acknowledged that nuisance conditions existed but noted they had already taken steps to abate the issues, including firing problem employees, installing surveillance cameras, and changing store management.*

*The owners committed to resolving outstanding issues within 30 days and returning to the Board with a status update on August 15, 2025 to avoid the possibility of closure.*

*Board members questioned the nature of the lease and ownership structure, and whether a language barrier existed (it did not).*

*David Carmichael and Officer Hammersla confirmed that, although no signed agreement was yet in place, the owners were actively working with law enforcement and understood the severity of the situation.*

*Action: LPD General Counsel David Carmichael recommended withdrawing the case from the docket pending the outcome of corrective actions. The Board agreed to allow the owners to demonstrate progress at a later meeting.*

11. Ofc. Hammersla testified that, despite their representations at the July hearing, the Respondent implemented only minimal measures while the nuisance activity continued to be maintained on the Subject Property.
12. Following the July 16 hearing, criminal activity continued on the Subject Property, requiring nineteen (19) additional call-outs by LPD.
13. Evidence was presented that the store routinely sells products commonly used as drug paraphernalia, including but not limited to glass tubes, steel wool, small containers, and

other household products. These items, while lawful to sell, are readily and frequently repurposed for illegal drug use. The quantity and display of such products in a relatively small commercial space supports the inference that the business caters to individuals engaged in illegal activity.

14. Testimony and photographic evidence established that individuals were observed purchasing these items from the store and were subsequently arrested while in possession of those same items used to ingest narcotics. This directly connects the store's sales practices to the facilitation of drug activity. A particular example that was testified to in the hearings was LPD case (2025-73465) another narcotics-related arrest where a Defendant was observed buying paraphernalia from the location, building a pipe and then driving off, only to be stopped by LPD and found to be in Possession of Cocaine and Paraphernalia.
15. In addition to narcotics activity, Ofc. Hammersla testified to ongoing issues of open drug use and alcohol consumption, public intoxication, loitering, disorderly conduct, and suspected prostitution occurring in the store's parking lot.
16. Representatives of neighboring businesses provided sworn testimony as to safety concerns, loss of clientele, and negative impacts on their operations due to the continued criminal activity and loitering associated with the Subject Property.
17. The Respondent had an opportunity to present evidence to the Board in its defense. The owners of Respondent disputed the claims made during the hearing, stating that 90% of what was said by LPD is not true, and that the Subject Property is fine now. They also asserted that activities occurring outside the front of the store were beyond their control as landlords.

#### **CONCLUSIONS OF LAW**

1. The Board has jurisdiction over this matter pursuant to § 893.138, Florida Statutes, and Article IV, Chapter 38 of the Code of Ordinances of the City of Lakeland.
2. Based on the competent and substantial evidence presented and incorporated herein, the Subject Property constitutes a public nuisance as defined under applicable law.
3. The Subject Property has been used on one occasion as the site of the unlawful possession of a controlled substance, where such possession constitutes a felony and that has been previously used on more than one occasion as the site of the unlawful sale, delivery, manufacture, or cultivation of any controlled substance, as described in § 893.138, Florida Statutes.
4. The Board further finds that a direct nexus exists between the nuisance activities and the Subject Property, such that the conduct, operation, or maintenance of the convenience store on the premises is conducive to such nuisance. The combination of persistent narcotics activity, sale of drug-related items, and the tolerance or encouragement of loitering and unlawful behavior has contributed to and facilitated the conditions conducive to ongoing nuisance activity.

5. The Board finds that the Respondent had actual and constructive knowledge of the nuisance conduct occurring on the Subject Property. The Respondent was given an adequate opportunity to abate the nuisance activity occurring on the Subject Property and failed to do so.
6. Accordingly, the Board finds that closure of the premises is the only effective means of abating the nuisance, given the failure of prior efforts to gain compliance and the ongoing harm to the surrounding community.

### **ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is ORDERED as follows:

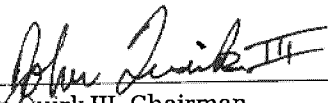
1. The Subject Property, located at 815 North Massachusetts Avenue, Lakeland, Florida, is hereby declared to be a public nuisance pursuant to § 893.138, Florida Statutes, and Sec. 38-86 of the Code of Ordinances of the City of Lakeland.
2. The Respondent shall immediately take all actions reasonably necessary to abate the nuisance, and shall cease operating, maintaining, or permitting any activity conducive to such nuisance on the premises.
3. Additionally, forty-five (45) days following the execution of this Order, the City of Lakeland is authorized to proceed with the closure of the Subject Property, such that entry into the property or onto the premises is prevented. Upon closure pursuant to this authorization:
  - a. the City shall post a trespass warning at the Subject Property indicating that the premises are closed by the City pursuant to a violation of the Lakeland Nuisance Abatement Ordinance; and
  - b. the Subject Property shall remain closed until one (1) year from the date of execution of this Order, unless the nuisance has been abated to the satisfaction of the Board or the City prior to that time.
4. This Order shall be recorded with the Polk County Clerk of Court so that notice must be given to subsequent purchasers, successors in interest, or assigns of the real property that is the subject of the order.
5. Pursuant to Sec. 38-89 of the City Code, the Owner is required to pay investigative and administrative costs to the City in the amount of \$5,000.00, which constitutes the recovery of reasonable costs, including reasonable attorney fees, associated with investigations of and hearings on public nuisances in this matter.
6. This amount shall become due and payable to the City of Lakeland within ninety (90) days of the date of this Order.
7. Upon recording, this Order shall constitute a lien against the place or premises which shall be superior to all other liens, except a lien for taxes, and shall bear interest at the maximum rate allowed by law as set forth in s. 687.03, as amended from time to time, from the date of

its filing. Interest shall continue to accrue until a judgment is rendered in a suit to foreclose on the lien or alternatively, as provided by law for the foreclosure of mortgages. Upon foreclosure, the city shall be entitled to recover all costs, including reasonable attorney's fees, associated with the recording of orders and foreclosure.

8. The Board retains jurisdiction over this matter for one (1) year from the date of this Order to address compliance, modification, or enforcement issues.
9. Any party seeking judicial review of this Order must do so by filing a petition for writ of certiorari in the Circuit Court of the Tenth Judicial Circuit within thirty (30) days after rendition of this Order, in accordance with Rule 9.100, Florida Rules of Appellate Procedure.

DONE AND ORDERED in Lakeland, Polk County, Florida, this 15<sup>th</sup> day of October, 2025.

NUISANCE ABATEMENT BOARD  
OF THE CITY OF LAKELAND, FLORIDA

By:   
John Quirk III, Chairman