



**FEDERAL COMMUNICATIONS COMMISSION  
ENFORCEMENT BUREAU  
REGION 2**

**Miami Office**  
P.O. Box 266468  
Weston, FL 33326

April 21, 2016

Condominium Association of Gateway House Apts., Inc.  
North Miami Beach, Florida

**NOTICE OF UNLICENSED OPERATION**

Case Number: EB-FIELDSCR-16-00021045  
Document Number: W201632600002

On March 24, 2016, agents from this office confirmed by direction finding techniques that radio signals on frequency 89.1 MHz were emanating from an antenna on the roof of 16740 NE 9<sup>th</sup> Ave., North Miami Beach, Florida, 33162, a common area owned by the Condominium Association of Gateway House Apts., Inc. The Commission's records show that no license was issued for operation of a broadcast station at this location on 89.1 MHz in North Miami Beach, Florida.

Radio stations operating on many frequencies, including 89.1 MHz, must be licensed by the FCC pursuant to 47 U.S.C. § 301. The only exception to this licensing requirement is for certain transmitters using or operating at a power level that complies with the standards established in Part 15 of the Commission's rules, 47 C.F.R. §§ 15.1 *et seq.* On March 24, 2016, the field strength of the signal on frequency 89.1 MHz exceeded the maximum permitted level of 250 microvolts per meter ( $\mu\text{V}/\text{m}$ ) at 3 meters for non-licensed devices. Thus, this station is operating in violation of 47 U.S.C. § 301.

You are hereby warned that operation of radio transmitting equipment without a valid radio station authorization constitutes a violation of the Federal laws cited above and could subject the operator to severe penalties, including, but not limited to, substantial monetary fines, *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment. (*See* 47 U.S.C. §§ 401, 501, 503 and 510.) Be advised that this warning does not preclude this office from pursuing additional sanctions based upon our investigation of this incident.

**UNLICENSED OPERATION OF THIS RADIO STATION MUST BE DISCONTINUED IMMEDIATELY.**

You have ten (10) days from the date of this notice to respond with any evidence that you have authority to operate granted by the FCC. Your response should be sent to the address in the letterhead and reference the listed case and document number. Under the Privacy Act of 1974, 5 U.S.C. § 552a(e)(3), we are informing you that the Commission's staff will use all relevant

material information before it to determine what, if any, enforcement action is required to ensure your compliance with FCC Rules. This will include any information that you disclose in your reply.

You may contact this office if you have any questions.

Ronald Ramage  
Regional Director

Attachments:

Excerpts from the Communications Act of 1934, As Amended  
Enforcement Bureau, "Inspection Fact Sheet," March 2005