

Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Vertical Real Estate, Inc.)	File No. EB-03-DT-1203
ASR # 1062345)	
Lakeview, MI)	NOV No. V20043236004
)	
Attention: Rick Stucki)	

NOTICE OF VIOLATION

Released: December 30, 2003

By the Enforcement Bureau: Detroit Office

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to Vertical Real Estate, Inc.

2. On November 21, 2003, agents of the Commission's Detroit Office inspected the antenna structure, with Antenna Structure Registration (ASR) number 1062345 in Lakeview, Michigan and observed the following violation:

- a. 47 C.F.R. §17.57: "The owner of an antenna structure for which an Antenna Structure Registration Number has been obtained ... must ... immediately notify the Commission using FCC Form 854 upon any change ... in ownership information." The FCC antenna registration database continues to list the former owner of the tower under the ownership information.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Vertical Real Estate, Inc. must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the company with personal knowledge of the matter. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 308(b).

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Detroit Office
24897 Hathaway Street
Farmington Hills, Michigan 48335-1552

4. This Notice shall be sent to Vertical Real Estate, Inc., 6550 York Avenue South, Suite 412, Minneapolis, MN 55435, Attention: Rick Stucki.

5. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

James A. Bridgewater
District Director,
Detroit Office

JAB: PSM

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*