



**GOREN CHEROF  
DOODY & EZROL P.A.**  
ATTORNEYS AT LAW

June 28, 2023

Via Email and U.S. Mail

[ben@algpl.com](mailto:ben@algpl.com)

Benjamin A. Solomon, Esq.  
Association Law Group, Attorneys at Law  
1101 Brickell Avenue, Suite N1101  
Miami, FL 33131

Re: City of Pembroke Pines (the "City") / Heron Pond Condominium Association, Inc.  
(the "Association")

Dear Mr. Solomon,

This letter shall serve as a follow-up to our office's May 22, 2023 email to you as well as the City Administration's meeting with you and your client, the Association, on May 25, 2023, at the Heron Pond Clubhouse located at 8400 SW 1<sup>st</sup> street, Pembroke Pines, FL. 33025 (the "Property").

As detailed within our City Attorney's Office's email, and as discussed at length by the Administration during the May 25th meeting, the City has been in communication with the Association since 2021 an effort to compel the Association to adequately address the City's significant concerns regarding the structural and building-code related issues affecting nearly every building on the Property. The Association's persistent lack of attention to the City's warnings and minimal acquiescence to the City's multiple requests culminated in the mandatory shoring of many balconies throughout the property and the designation of three (3) units within the Property as "Unsafe to Occupy" by the City's Fire Marshall, causing the existing tenants to immediately vacate the premises.

During the course of our meeting on May 25<sup>th</sup>, which was attended by the City Manager, Assistant City Manager and Planning and Economic Development Director, City Fire Marshall, the City Building Official, and an Assistant City Attorney, in addition to you and your client and the Property Manager, the Association agreed to comply with a number of the City's requests which have been outlined below.

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1. The Association agreed to complete the required shoring on the Property and provide the City with supporting documents showing conformity to the shoring requirements by June 9, 2023.

The Association provided a shoring report to the City on June 12, 2023, after the agreed-upon due date.

2. The Association agreed to engage an engineer to conduct an updated structural analysis and provide the City with plans of the most at-risk buildings in addition to a report containing a plan of action to immediately address the structural and Building Code issues affecting the most impacted buildings within the Property.

As of this writing, the City has not received any communication from an engineer regarding the updated structural analysis, plans of the most at-risk buildings, or a report containing a plan of action.

3. The Association agreed to perform exploratory work on individual units and to cover certain portions of said units or buildings with acceptable materials, which were listed by the City's Building Official.

The City has observed non-contracted and unpermitted work being conducted on the Property without notice to the City. The City issued an order of violation to the Association for the unpermitted work on June 14, 2023.

4. The Association agreed to provide the Property's residents with an updated notice explaining the ongoing and aforementioned structural and building code issues on the Property.

As of this writing, the City has not received the updated letter nor has the City been informed that such a letter was submitted to the residents.

5. The Association agreed to engage a termite specialist to produce a status report of the partially addressed and possibly ongoing significant termite presence and damage to the buildings on the Property.

As of this writing, the City has not received said report nor has the City been informed that the required termite-related work has begun.

Further, the City's professional staff, after a diligent review of the documents provided, or the lack thereof, reveal that the reports received by the City do not begin to provide the level of detail required under the prevailing circumstances and were submitted well beyond the time frame allotted during our May, 2023 meeting.

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In consideration of the foregoing, and due to the lack of action and responsiveness from the Association regarding the imperative items discussed at the May 25<sup>th</sup> meeting, the City has opted to immediately hire an independent engineer to evaluate each building on the Property and provide a report to the City so that the City may take any and all steps necessary to ensure the health, safety, and welfare of its residents residing within the Property including but not limited to taking action that may result in the mandatory immediate vacation of tenants. In the interim, we ask that the Association begin to legally address the issues on the Property concurrently with the City's own efforts to address these matters.

Should you have any questions regarding this matter, please do not hesitate to our office.

Sincerely,

Samuel S. Goren  
City Attorney

cc: Frank C. Ortis, Mayor  
Members of the City Commission  
Charles F. Dodge, City Manager  
Aner Gonzalez, Deputy City Manager  
Michael Stamm, Assistant City Manager and Director of Planning and Economic Development  
Daniel Almaguer, Fire Marshall  
Steve Pizzillo, Chief Building Official