



June 30, 2023

VIA FEDEX OVERNIGHT MAIL AND ELECTRONIC MAIL

Samuel S. Goren, Esq.
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RE: Heron Pond Condominium Association, Inc.

Dear Mr. Goren:

As you are aware, our law firm represents Heron Pond Condominium Association, Inc. (the “Association”). We are in receipt of your correspondence, dated June 28, 2023, regarding the City Administration’s meeting with the Association on May 25, 2023, and the resulting events. Please note our client has advised us of some discrepancies in your correspondence. As such, please find the Association’s response to the statements set forth in your correspondence.

1. **Shoring Report:** The Shoring Report was submitted on June 12th, as the vendor the Association hired did not provide the report within sufficient time. It is our understanding that this was a three-day delay from the original June 9th deadline (which three-day deadline happened to be a weekend). The report is now in the City’s possession so please let us know if you have any concerns regarding it or if you would like to discuss the contents therein.
2. **Engineer Structural Analysis and Report:** Plans and letters were submitted to the City on June 27, 2023. As we are sure the City understands, the Association cannot perfectly control the timing of how quickly its vendors, including the Engineer, provide such reports. Nevertheless, the plans and letters are now in the City’s possession. It is our understanding that the City has stated there are certain deficiencies; however, the Association needs further details on exactly what such deficiencies are so it can address the same, including but not limited to, advising its Engineer on exactly what else is needed. Moreover, at the May 25th hearing, it was communicated to the Association that City officials required initial reports with specific wording as a formality in order to get the permit and thereafter start the exploratory inspection.
3. **Exploratory Work and Permitting Issues:** As documented in the correspondence provided after the May 25th meeting, the Association committed to (via its Engineer) open each building, assess the damage, record it, and thereafter fix it in accordance with the Engineer’s recommendations. This plan was again agreed to on June 6, 2023, at a meeting between the Association and City officials.

That being said, the Association’s Engineer will be at the Heron Pond Condominium (the “Condominium”) on July 6/7 to complete the exploratory inspection on four (4) buildings (which is what the City advised is required, per the May 25th meeting). Thereafter, the Engineer will provide the City with such findings and the Association will commence the recommended work as soon as possible.

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To detail further, the Association has diligently provided the required reports to the City as specified. However, the City's expectations and requirements for these reports have constantly changed, thereby creating confusion and delays in efforts to comply. This situation has become increasingly burdensome for the Association and is affecting its ability to operate efficiently. The Association is willing to cooperate fully and provide the agreed-upon reports as long as the requirements remain consistent and reasonable.

Regarding the work without permits, in the May 25th meeting, the City agreed that the Association could start closing holes in the balconies (which were caused by the inspection of the balconies) to prevent further water damage. The Association began to cover such holes until the City advised that the Association required a permit; all such work immediately ceased and the Association covered the remaining holes with plastic bags.

That being said, the Association has made numerous attempts to secure the permits, but it has proven to be an arduous process, hindering the Association's ability to meet the City's expectations; i.e., creating essentially an impossibility of performance situation. In light of these circumstances, we kindly request that the City reviews its policies and procedures concerning the issuance of permits and streamline the permitting process for the Association.

4. **Notice to the Association's Residents:** The Association promptly sent an email to all residents on May 25, 2023. Enclosed please find a copy of such correspondence.
5. **Termite Report:** The Association has already tented six (6) of its buildings for termites (Buildings 3, 10, 12, 13, 14, 16). At the May 25th meeting with the City, the parties agreed that the Association would do the exploratory assessment and termite assessment once the Association obtained the requisite permits. As mentioned, the Association is having great difficulty in obtaining any such permits due to the City's action and/or inaction.

We understand that the City has (or intends) to hire an independent engineer to address any specific concerns it has pertaining to the Condominium. To the extent that the City does proceed with this option, all associated costs and liabilities will be solely its responsibility. Please note that all personnel must be coordinated with management to ensure the continuation of efficient operations. On that note, it has been brought to our attention that, on the same day of your correspondence, certain City officials arrived at our client's property unannounced to conduct further inspections and/or investigations. We kindly ask that any such visits be coordinated through our office or directly with management.

As a final note, our client is a nonprofit corporation and must rely on its Engineer and other vendors it hires to conduct the necessary work requested. The Association is working as fast and efficiently as possible with the resources it has. We wish to reiterate that by working together we can find a resolution that upholds the safety of the Association's residents while also ensuring their rights and well-being are protected.

Sincerely,
/s/ Ben Solomon, Esq.

BEN SOLOMON, ESQ.
Managing Partner

cc: client via email

Enclosures.

Read Mail

Read Mail



Structural Repairs Update

From: Laura Serrano

05/25/2023 17:09

To: admin@eqsmgmt.com; milan.tewani@gmail.com; jcrivera2367@gmail.com; paistreelc@gmail...

RECIPIENTS



Dear Residents:

Please be advised that the Heron Pond Condominium Association was recently contacted by the City of Pembroke Pines regarding the need for certain immediate structural repairs to the Condominium. Unfortunately, 3 units had to be vacated as a result of such structural problems. However, at this time, it does not appear all units in the Condominium will be affected.

The Board and Management take this situation very seriously and are doing everything possible to resolve these issues and minimize the impact to our residents. The Association is in close contact with City officials and we had a productive meeting this week to discuss next steps. The Association has already hired a licensed contractor to perform the necessary repairs and they will commence work as soon as the engineering is completed and the City issues a permit. If your unit is being affected, Management will contact you by separate notice.

We appreciate your patience and understanding as the Association works to address these issues. Should you have any questions, please contact Management.

Thank you.

Laura Serrano
Property Manager

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