

BEFORE THE CONSTRUCTION REGULATION BOARD
FOR THE CITY OF CORAL GABLES

CITY OF CORAL GABLES,

Case No. 18-7389

Petitioner,

vs.

SAAD REMODELING & CUSTOM
HOME BUILDERS, INC. and
GABRIEL J. DE OROZCO.

Respondents.

**NOTICE OF CONTRACTOR VIOLATION
AND NOTICE OF HEARING**

Date of Issuance: May 23, 2018

Name of Official Requesting Hearing: Manuel Z. Lopez, P.E.

Re: See names and addresses of all parties involved in complaint of contractor violations on the attached List of Respondents. All Respondents are collectively referred to as "You".

An investigation conducted by the City of Coral Gables ("City") revealed that you are in violation of the following section(s) of the City Code:

Section 101-23 of the City Code, entitled "Violations", which provides, in pertinent part, that it shall be a violation for any contractor or subcontractor, operating within the City:

- (2) Abandon without legal excuse a construction project or operation in which the contractor is engaged under contract as a contractor;
- (4) To depart from or disregard in any material respect the plans or specifications of a construction job without the consent of the owner or their duly authorized representative, and the building official, as defined by the Florida Building Code;
- (7) Fail to fulfill contractual obligations in connection with any contract or construction project, including, but not limited to, payment for material furnished or work or services performed; and
- (9) Do any fraudulent act as a certificate holder by which another is injured.

To wit, you committed the following acts:

1. Saad Remodeling & Custom Home Builders, Inc. and Gabriel J. de Orozco (collectively, State Certified General Contractor CGC1506816) entered into a contract, on October 25, 2017, with the owners of the single-family home located at 440 Sansovino Avenue, Coral Gables, FL 33146-2220 to remodel the master bathroom, cabana, bathroom, and kitchen (interior alterations) for \$70,000.00. After beginning work on December 5, 2017 and accepting payments of \$52,823.00, you abandoned the project and ceased work prior to completion.

Therefore, pursuant to Chapter 101, Article II of the City Code, this matter is set for hearing before the City's Construction Regulation Board ("Board") in the Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida 33134, on June 11, 2018, at 2:00 p.m.

CITY'S

EXHIBIT

composites
4

You have the right to be represented by an attorney and may present and question witnesses and evidence; however, formal rules of evidence shall not apply. Failure to appear at the hearing will result in the matter being heard in your absence. Please be advised that anyone, other than an attorney, attending the hearing on your behalf, must provide a power of attorney from you at the time of the hearing. Requests for continuance must be made in writing to Belkys Garcia, Secretary to the Board, at City of Coral Gables, Development Services Department, 405 Biltmore Way, 3rd Floor, Coral Gables, FL 33134, bgarcia@coralgables.com, tel: (305) 460-5229. The Development Services Department's hours are Monday through Friday, 7:30 a.m. to 3:30 p.m., tel: (305) 460-5235.

If you do not prevail at the hearing, the Board may enter an order, as provided in Sections 101-22 and 101-28 of the City Code, including, but not limited to, assessing all legal and investigative costs of the proceedings, for which the City shall have a lien as provided in Section 101-29 of the City Code.

Please govern yourself accordingly.


Belkys Garcia, Secretary to the Board

NOTICES

Any person who acts as a lobbyist pursuant to the City of Coral Gables Ordinance No. 2006-11, must register with the City Clerk, prior to engaging in lobbying activities before the city staff, boards, committees and or the City Commission. A copy of the Ordinance is available in the Office of the City Clerk, City Hall.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Board, with respect to any matter considered at such hearing or meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made; which record includes the testimony and evidence upon which the appeal is to be based. Although a court reporter usually attends the hearing at the City's cost, the City is not required to provide a transcript of the hearing, which the Respondent may request at the Respondent's cost.

Any person who needs assistance in another language in order to speak during the public hearing or public comment portion of the meeting should contact the City's ADA Coordinator, Raquel Elejabarrieta, Esq., Director of Labor Relations and Risk Management (E-mail: relejabarrieta@coralgables.com, Telephone: 305-722-8686, TTY/TDD: 305-442-1600), at least three (3) business days before the meeting.

Any person with a disability requiring communication assistance (such as a sign language interpreter or other auxiliary aide or service) in order to attend or participate in the meeting should contact the City's ADA Coordinator, Raquel Elejabarrieta, Esq., Director of Labor Relations and Risk Management (E-mail: relejabarrieta@coralgables.com, Telephone: 305-722-8686, TTY/TDD: 305-442-1600), at least three (3) business days before the meeting.

List of Respondents

<p>Saad Remodeling & Custom Home Builders, Inc. c/o Mery Saad Registered Agent 18191 NW 68 Ave. Suite 104 Miami, FL 33015-3997</p> <p>Return receipt number: 7017 3040 0000 8660 2974</p>	<p>Gabriel J. de Orozco Saad Remodeling & Custom Home Builders, Inc. 9901 SW 62 St Miami, FL 33173-1431</p> <p>Return receipt number: 7017 3040 0000 8660 2981</p>
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440 SANSOVINO AVENUE

Inspection performed by Jose Paz, Building Inspector, on May 15, 2018

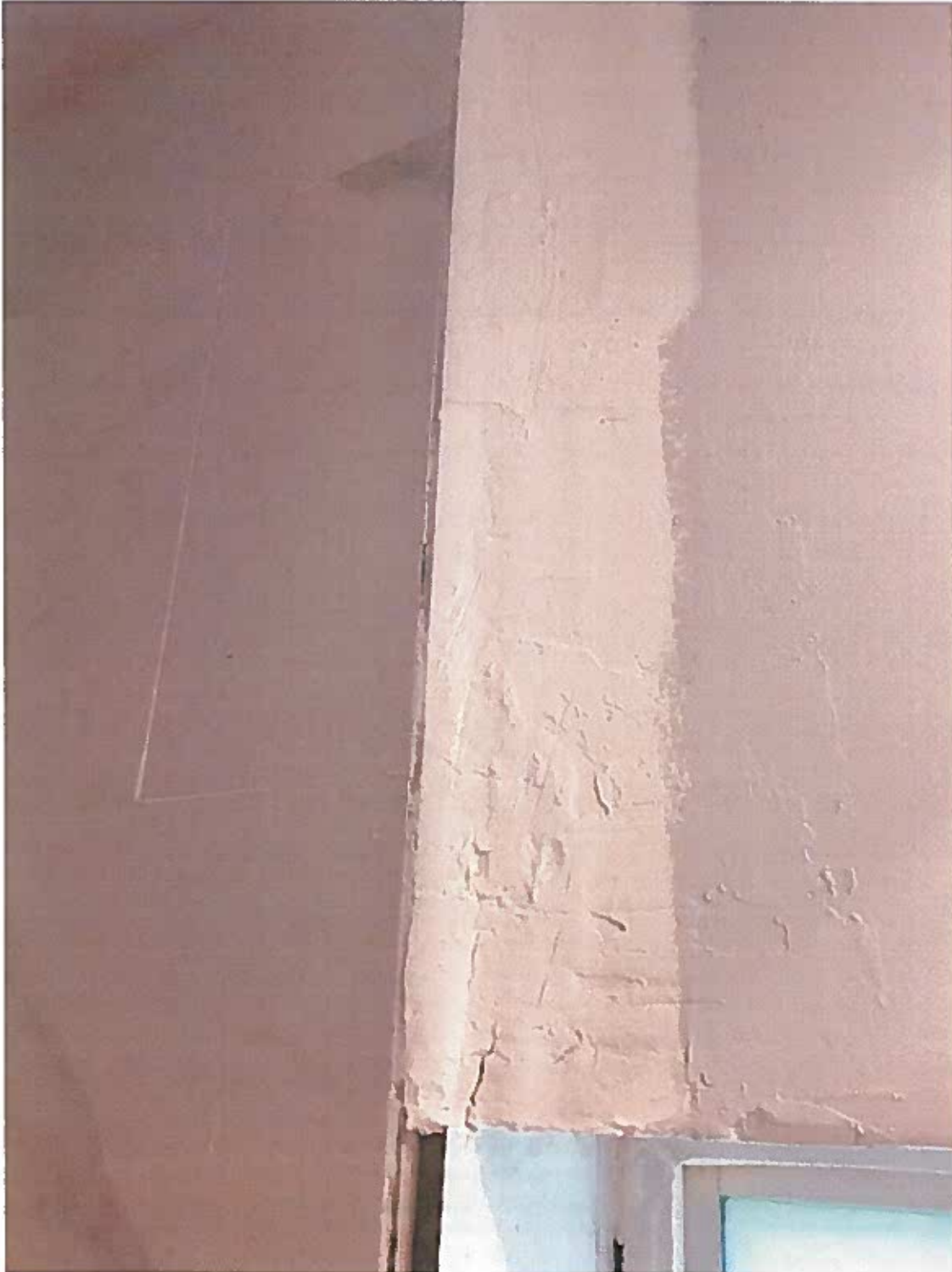


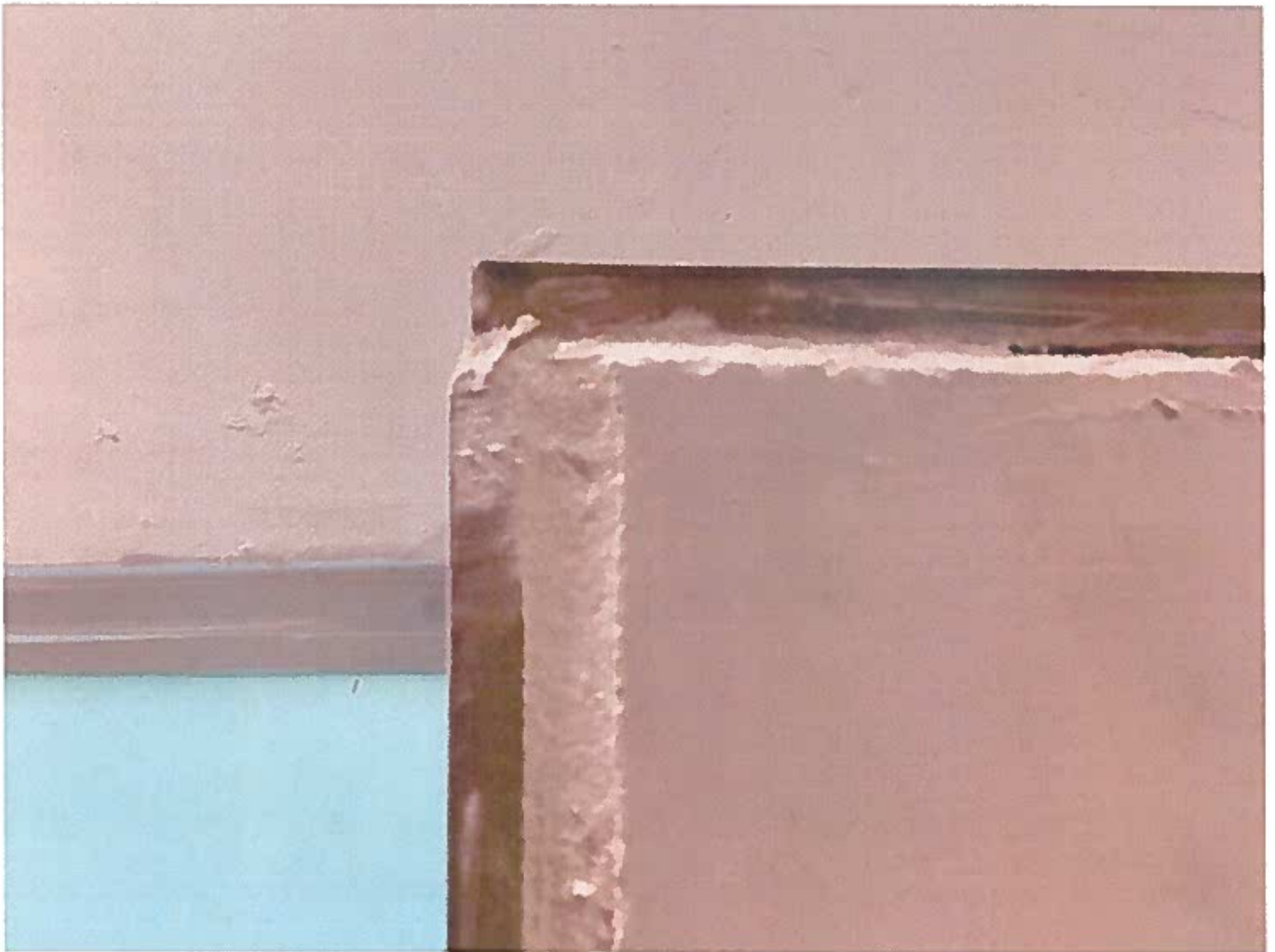
Master bathroom shower bench. Note poor workmanship of tiles and stainless steel insert.

Juncture of wall tiles and window sill. Note uneven tile installation and use of plaster to fill a gap. This should have been tiled.



Adjacent to window. Note heavy use of plaster/joint compound. This section should have been tiled, not filled in.





Close-up of improperly cut tiles.



Poorly cut mitered joint of stainless steel insert. Most mitered joints are not flush and many have sharp edges.

Bathroom floor. The floor has a very pronounced slope. Note wall tile abutting floor. This is at the door way.







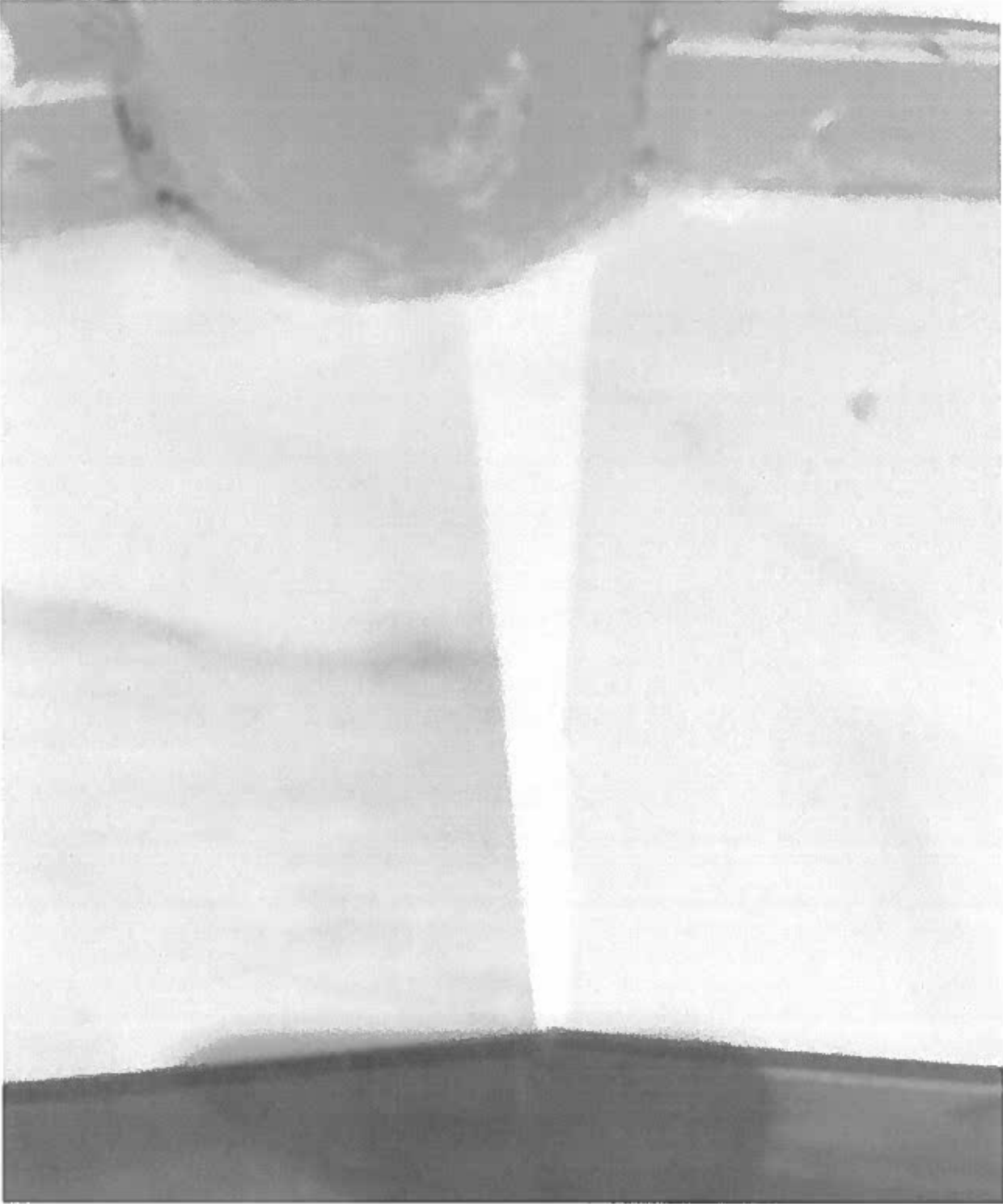
Poorly installed wall tile and uneven grout lines.







Poorly cut tiles at window sill. Note use of grout to "fill in" the gap caused by poorly cut tile.









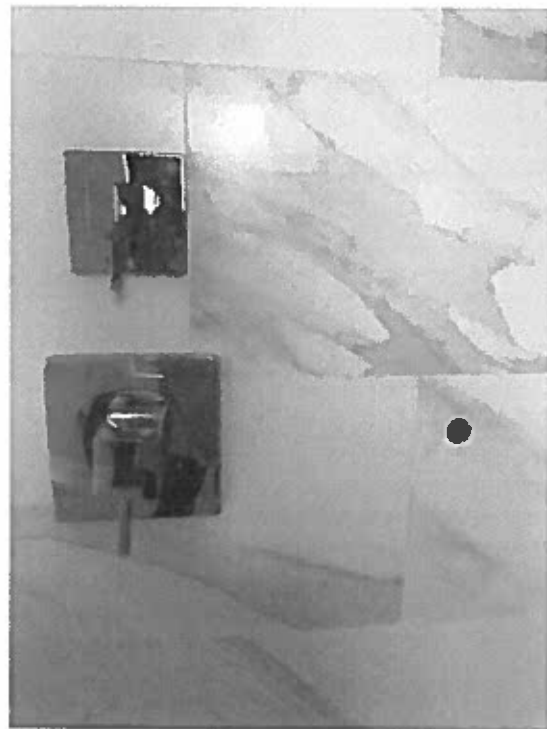
Kitchen, which remains as is. Glass on counter denotes location where plans show an "existing column." There is no column installed.

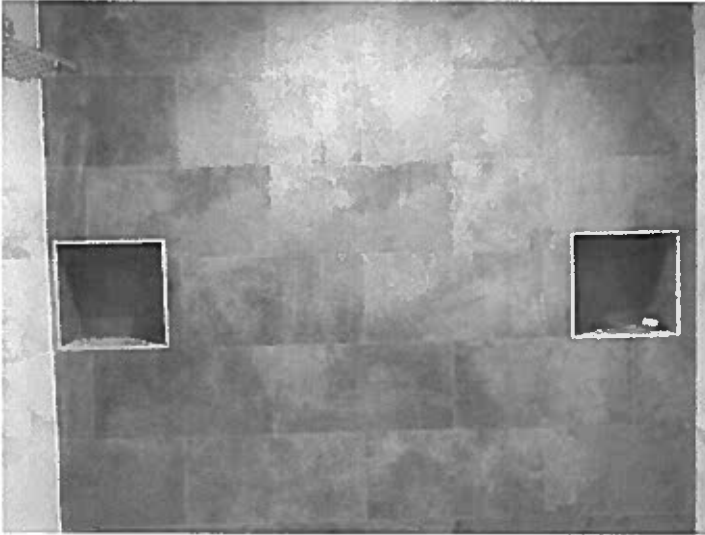
Master bathroom unfinished and Not functional as per 04/30/2018
Construction defect pictures:



Electrical outlet not installed. Cables were exposed.

Hand shower not installed yet and shower door not delivered/installed yet





Niches in the wall not aligned and poorly finished

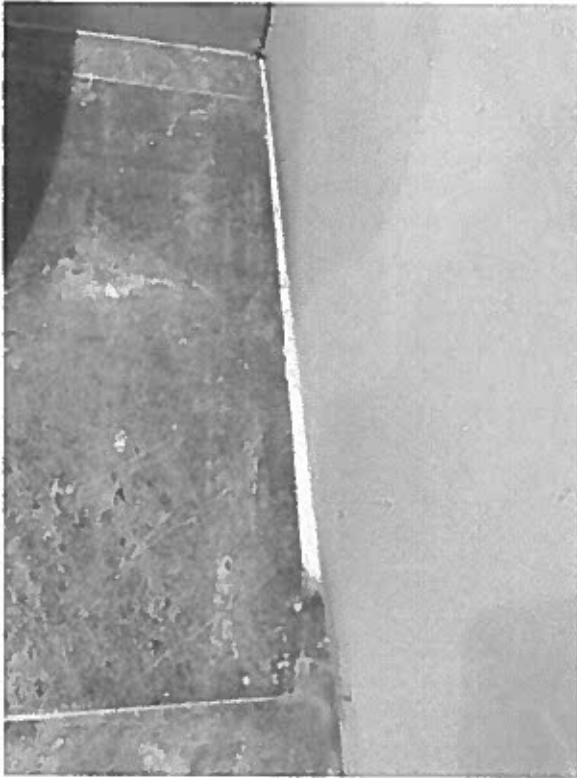


Niches corners are sharp and pointy
(Dangerous)

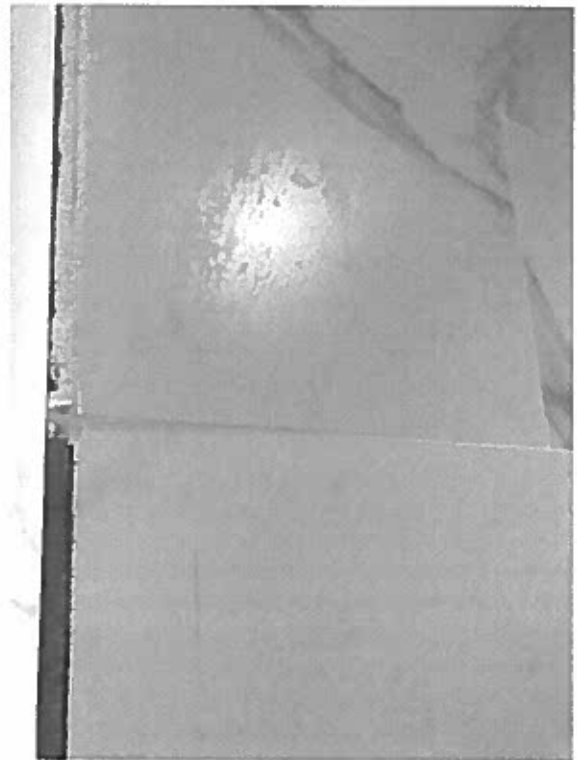


Vanity not ordered. Sinks and faucet not delivered.

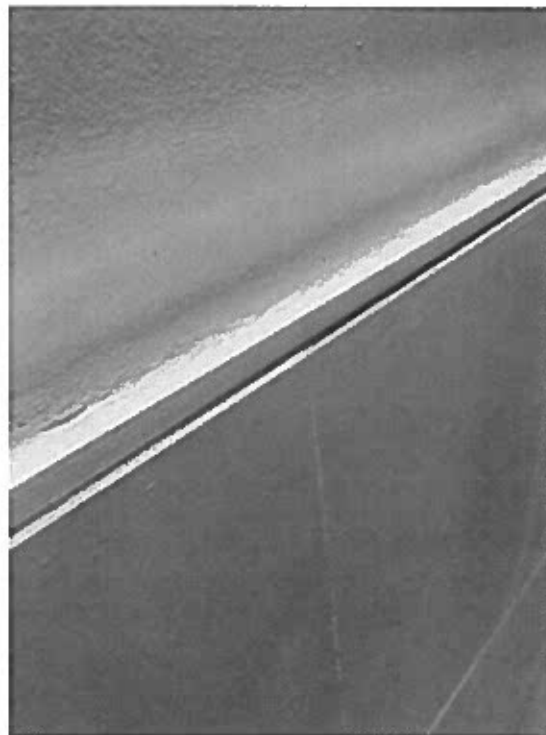


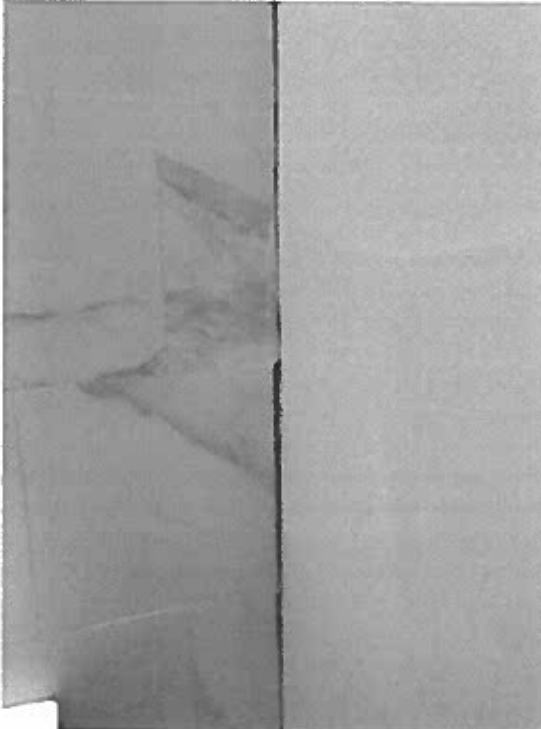
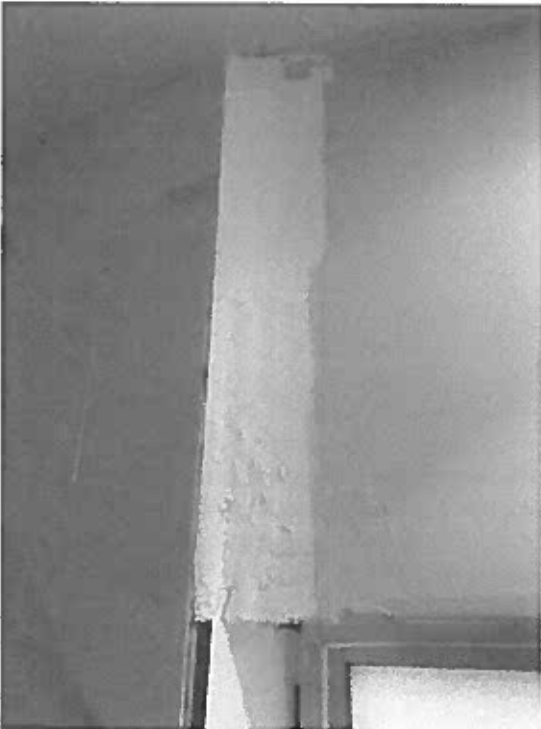
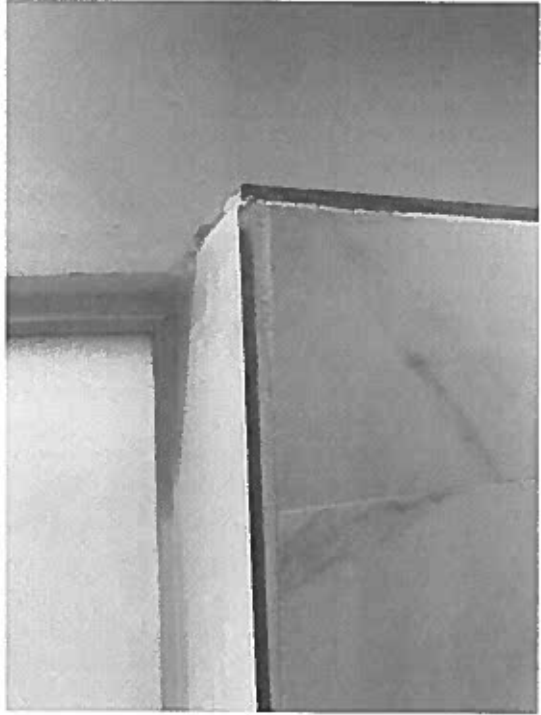
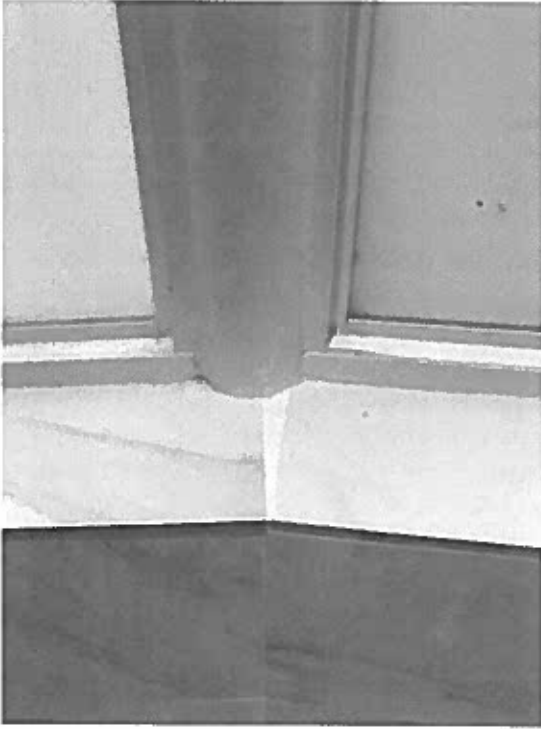


Poor finishing in walls and floors. Tile corners dented or not properly installed.

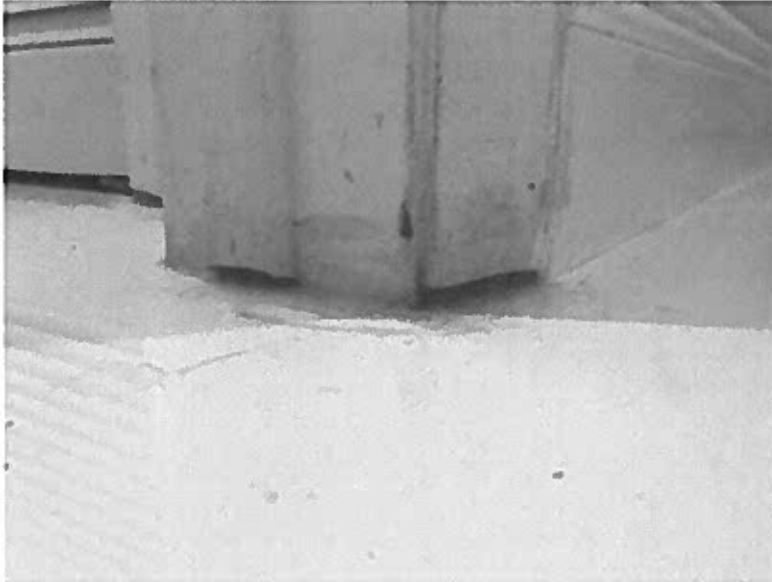


All aluminum tile edging trim is missing or has being installed incorrectly.



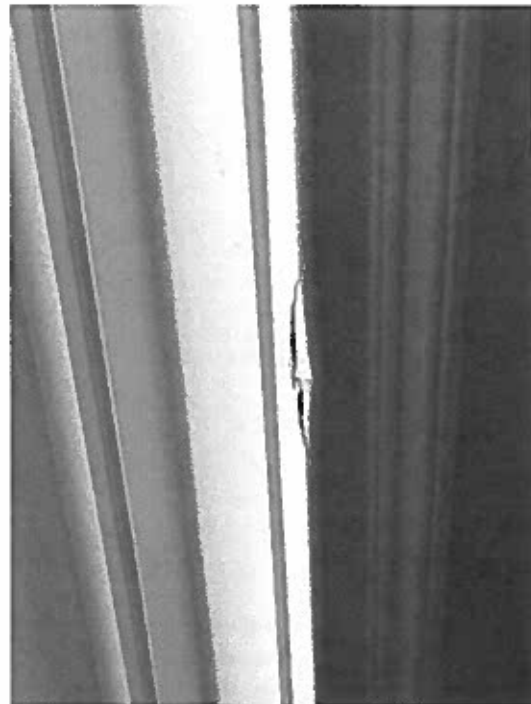
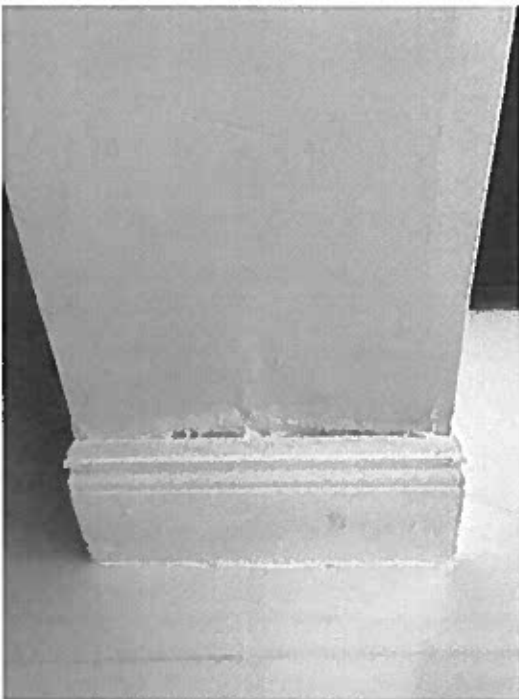


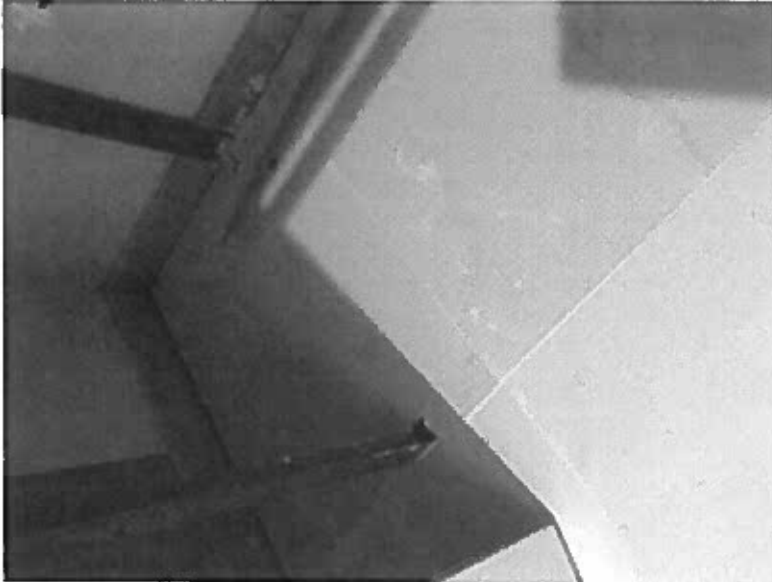
Additional construction defects already reported on 04/08/2018 via e-mail and still pending to be fixed:



Poor termination on floor and wood trim after floor installation. Some of the wooden trims were damaged.

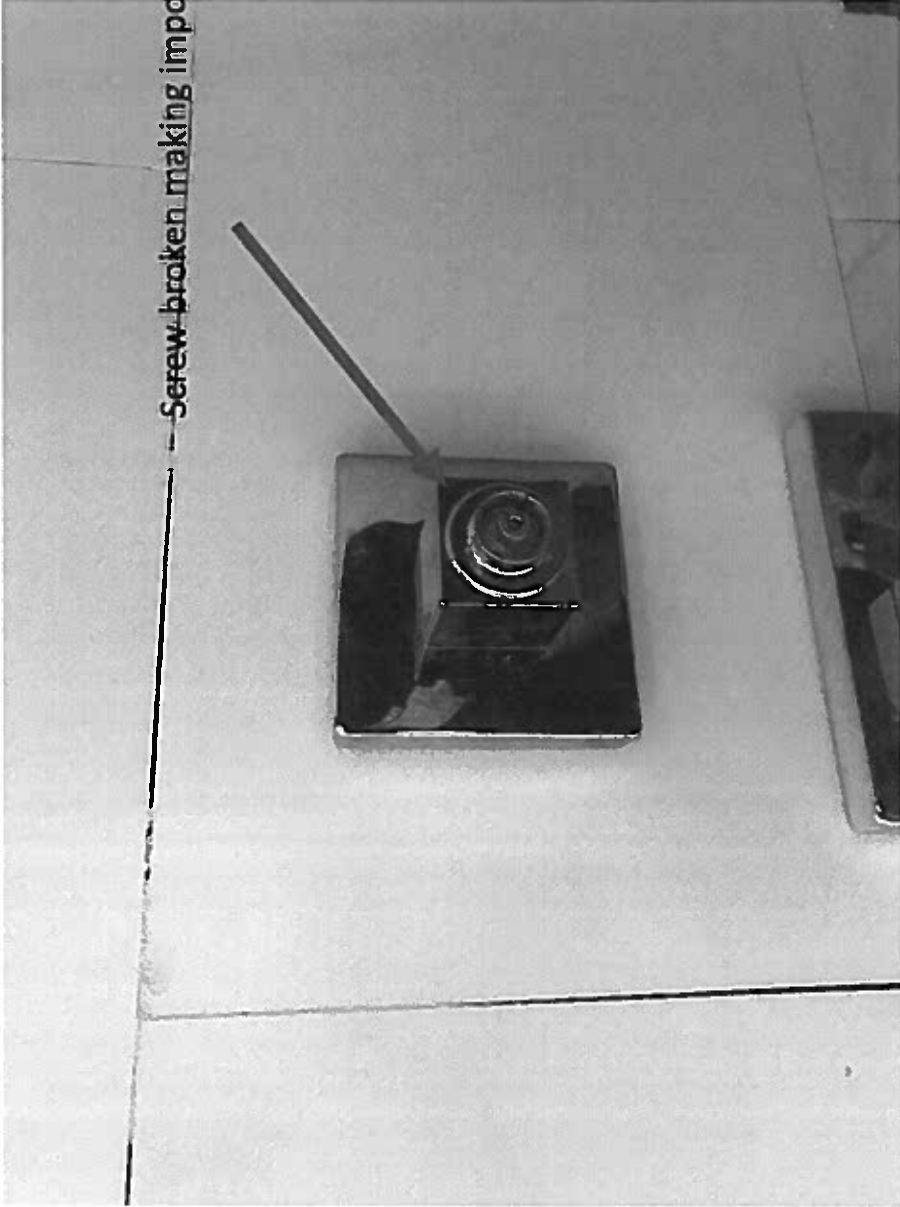
↳





Tile placed on AC closets and hall closet is a different color than rest of the house. Issue reported same day of installation. Old base board not demolished and replaced with new one as agreed.

-- Screw broken making impossible to finish installation

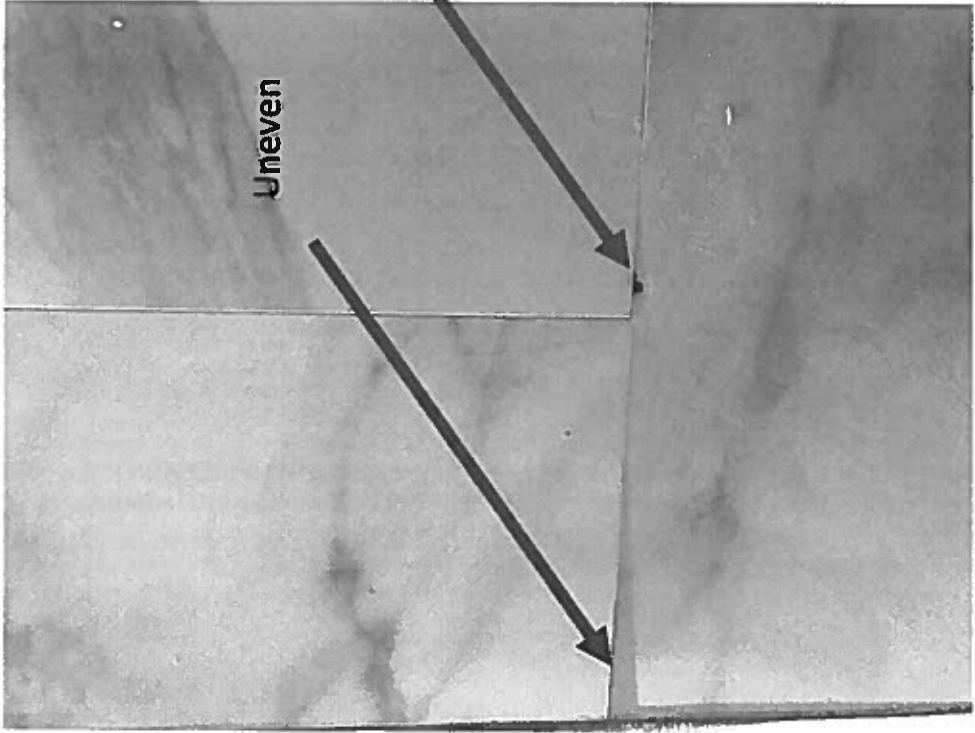


Pic A

Manual shower missing



Pic B



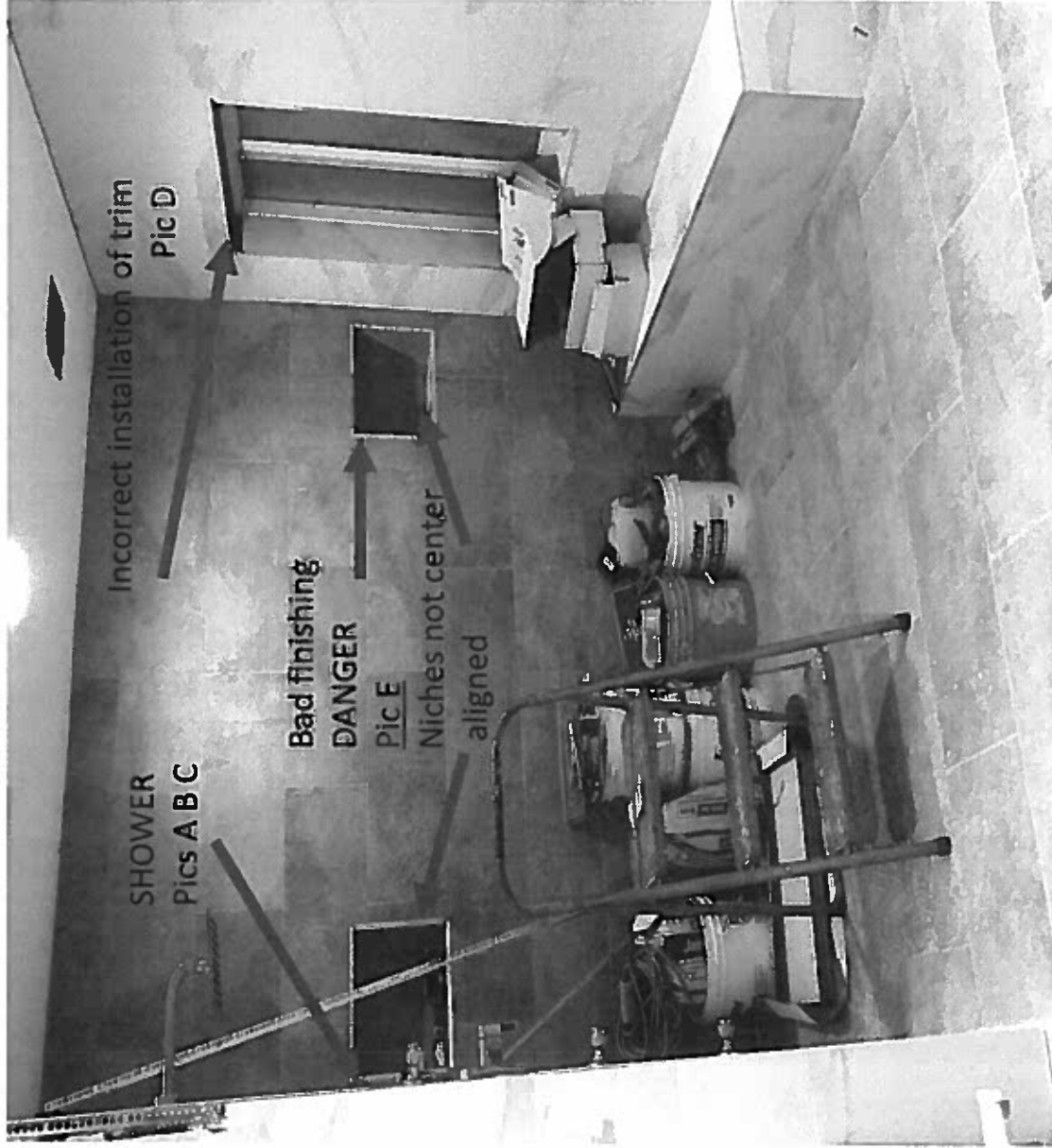
Dent

Uneven

Pic C

As of 04/07/2018
Main bathroom Status
Shower Incomplete

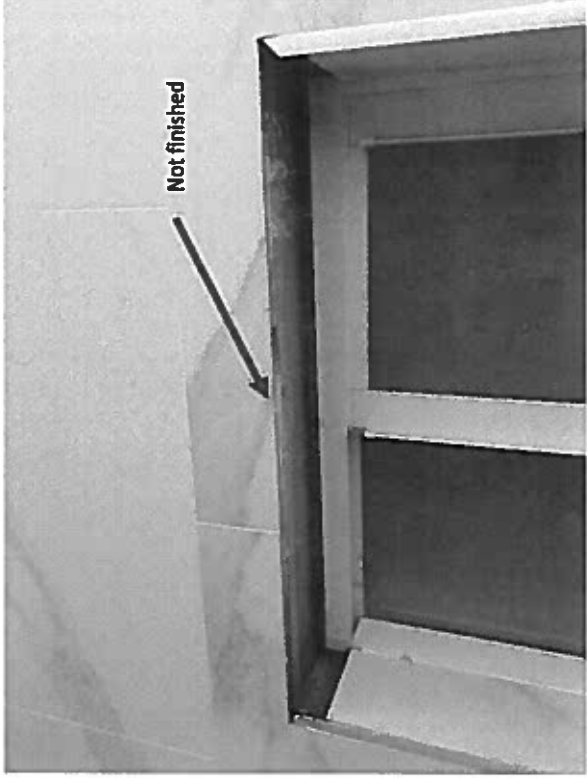
Detailed pictures are
A B C
1 -





Pic D1

Incorrect installation of trim



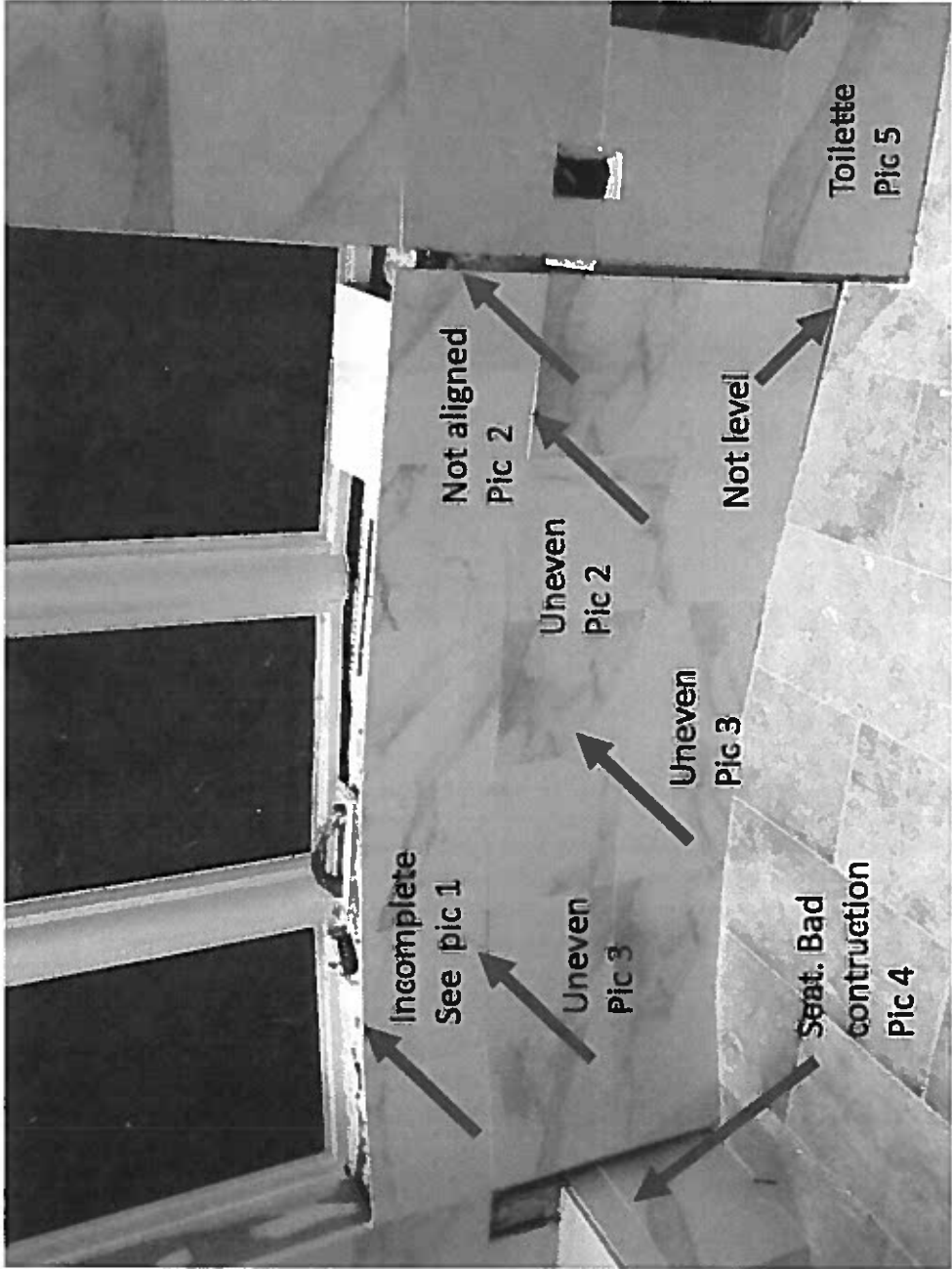
Pic D2

Bad finishing on niches
Sharp (dangerous)



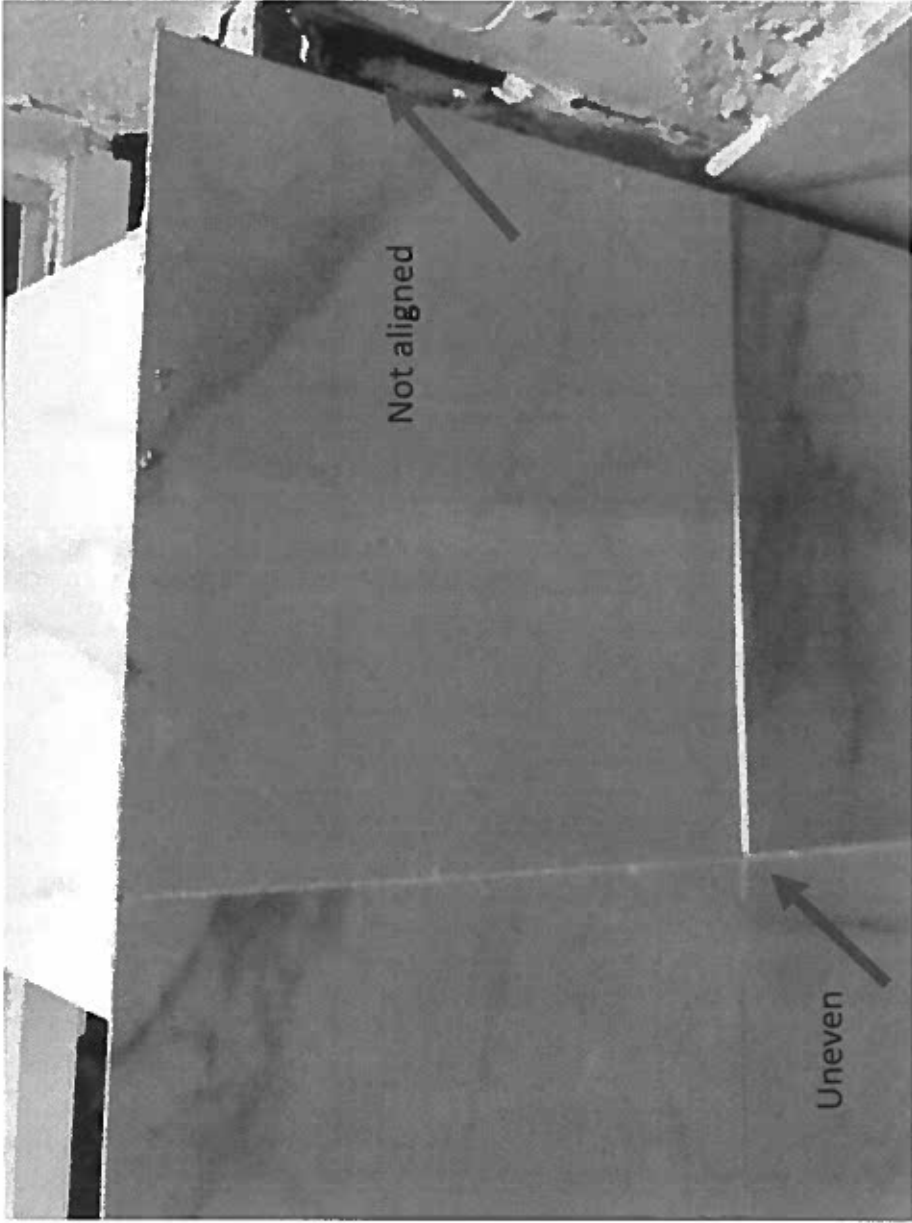
Pic E

East wall
Incomplete
Poor construction

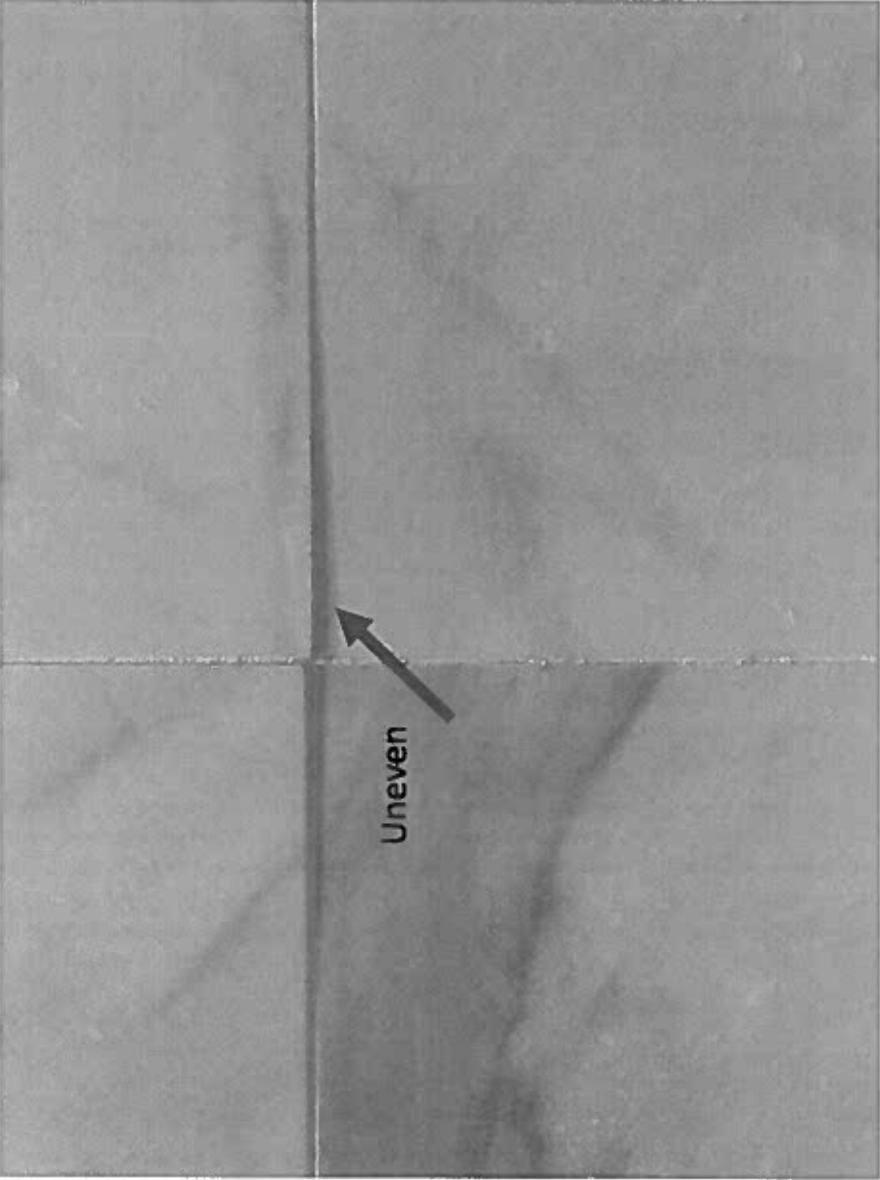




Pic 1

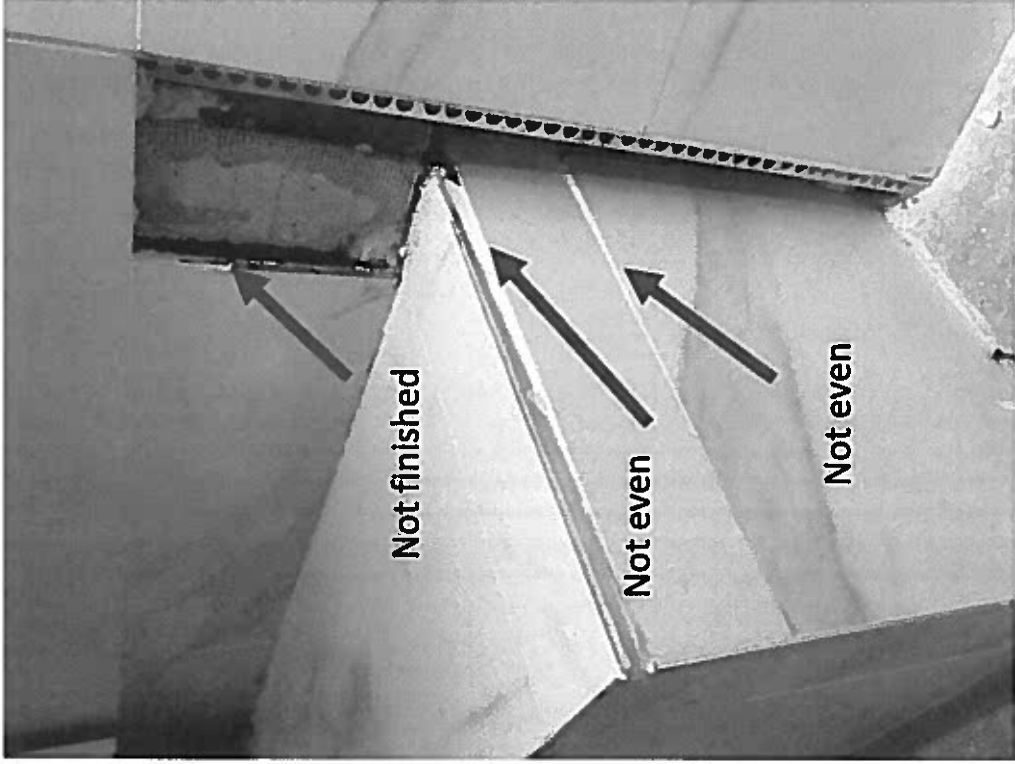


Pic 2



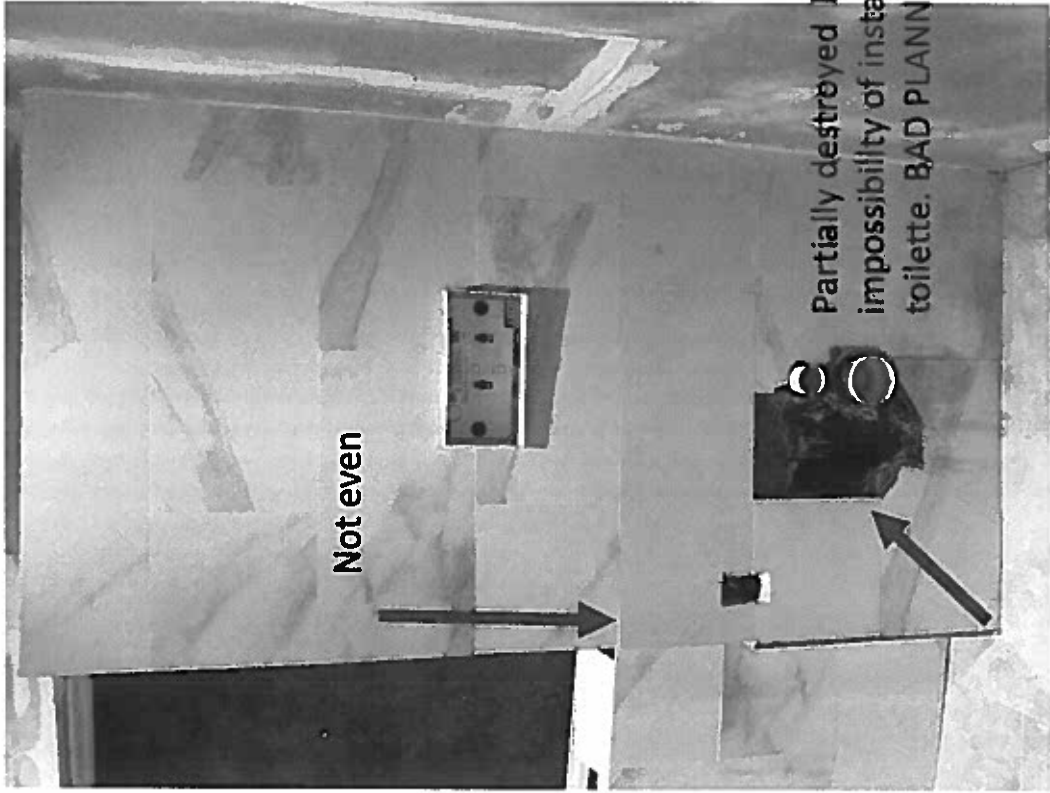
Pic 3

Shower Seat. Bad construction



Pic 4

Toilette Incomplete and re-demolished



Pic 5

Bath room
West wall -upper part
Incomplete .



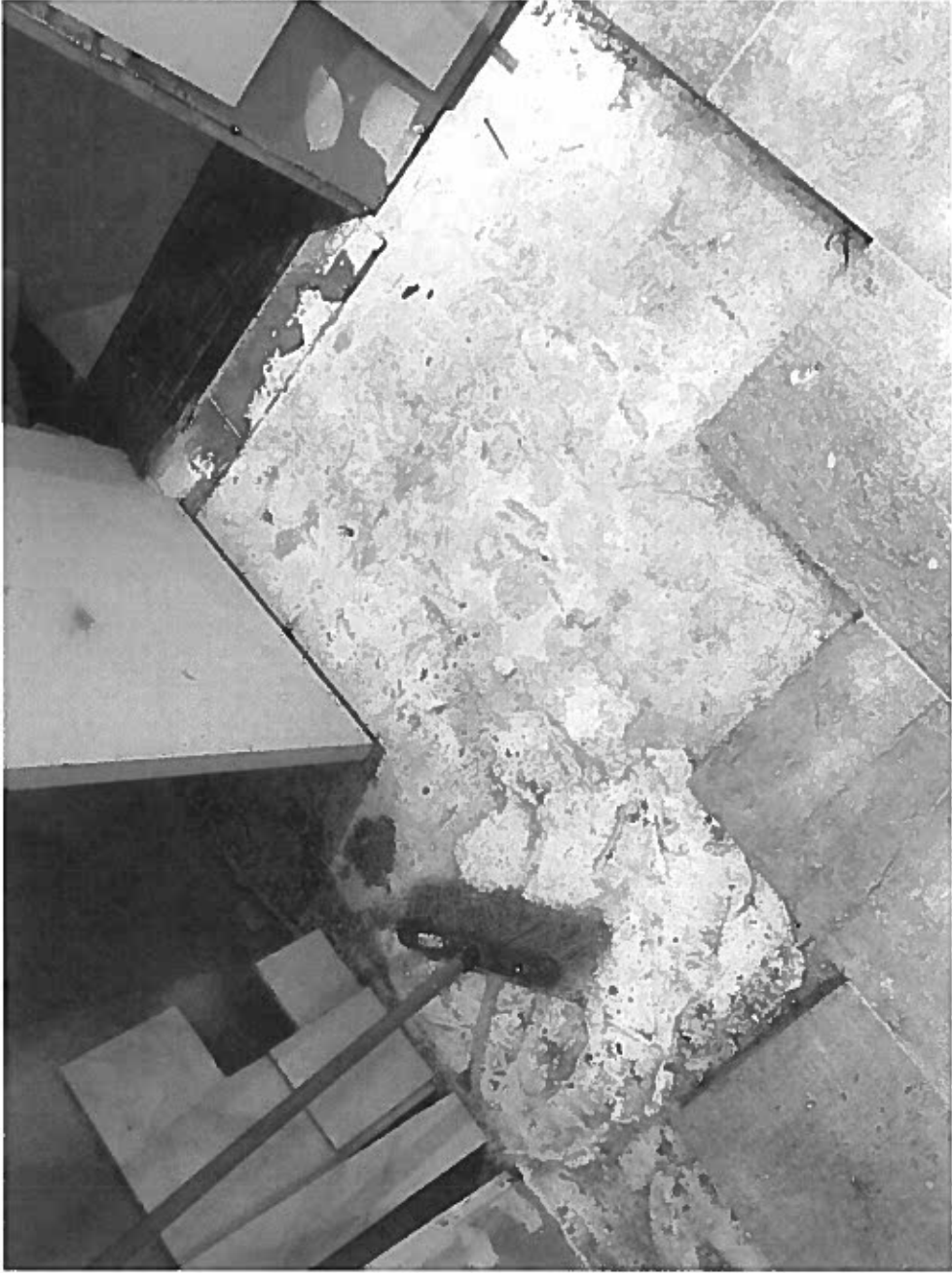
Pic 6

West wall- lower part
incomplete



Pic 7

Bathroom Floor
incomplete



Pic 8



Already used, Temporary SINK for master bathroom with exposed nails

Pic 9

4/26/2018

Gmail - Fwd: This may become a safety concern .



miguel moreno martin <mamorenomartin@gmail.com>

Fwd: This may become a safety concern .

1 mensaje

Glenda Masis <glendamasis@gmail.com>
Para: ICE Miguel Moreno <mamorenomartin@gmail.com>

26 de abril de 2018, 17:29

Imprime

Glenda Masis
Tel. 305 3168491

Begin forwarded message:

From: miguel moreno martin <mamorenomartin@gmail.com>
Date: January 19, 2018 at 09:10:20 EST
To: "Saad Remodeling & Custom Home" <saadremodeling@gmail.com>, Glenda Masis <glendamasis@gmail.com>
Subject: Fwd: This may become a safety concern .

Angel
I think This might become a safety concern
thanks

4/26/2018

Gmail - Fwd: This may become a safety concern .



Sent from my iPhone

From: **Saad Remodeling & Custom Home** saadremodeling@gmail.com

Subject: TRASH CONTAINER EXCHANGE FOR MONDAY 22

Date: **January 19, 2018** at 4:53 PM

To: **miguel moreno martin** mamorenomartin@gmail.com, **Glenda Masis** glendamasis@gmail.com



Hi Miguel & Glenda:

Container exchange schedule for next Monday 22nd.

Regards,

Angel Saad

*Saad Remodeling &
Custom Home Builders, Inc*
18191 NW 68 Ave #104
Miami Lakes, FL 33015
Ph: 305-829-3031
Fax: 305-507-8833



From: Saad Remodeling & Custom Home saadremodeling@gmail.com
 Subject: Insurance
 Date: April 18, 2018 at 12:43 PM
 To: Glenda Masis glendamasis@gmail.com, miguel moreno martin mamorenomartin@gmail.com



Good morning,
 As per your request.
 Best regards,
Angel Saad

Saad Remodeling &
 Custom Home Builders, Inc
 18191 NW 68 Ave #104
 Miami Lakes, FL 33015
 Ph: 305-829-3031
 Fax: 305-507-8833



SAADREM-01

Y. JOHNSON

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
 04/18/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. IF SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER CJP Insurance LLC 21845 Powerline Road Suite 205 Boca Raton, FL 33433	CONTACT Charles Herophil Agent P.O. Box 640 (361) 826-3852 1800 W. Chesterfield Ave Chesterfield@cjpiinsurance.com	FAX 305) 299-6840
INSURED Saad Remodeling & Custom Home Builders, Inc. 18191 NW 68th Avenue, Suite 104 Miami, FL 33015	INSURER(S) AFFORDED COVERAGE	
	INSURER A National Builders Insurance Company	16632
	INSURER B American Builders Insurance Company	11240
	INSURER C	
	INSURER D	
	INSURER E	
	INSURER F	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

FORM NO.	TYPE OF INSURANCE	AGENCY	POLICY NUMBER	POLICY EFF. DATE	POLICY EXP. DATE	LIMITS
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR		GLP0163041 04	12/12/2017	12/12/2018	EACH OCCURRENCE 1,000,000
						DAMAGE TO RENTED PREMISES (EA OCCURRENCE) 100,000
						VED (EP (P)S (P)S (P)S) 5,000
						PERSONAL & ADV INJURY 1,000,000
						GENERAL AGGREGATE 2,000,000
						PRODUCTS - COMPOP AGG 2,000,000
						OTHER
						AUTOMOBILE LIABILITY
						ANY AUTO
						OWNED AUTOS ONLY SCHEDULED AUTOS
LEASED AUTOS ONLY SCHEDULED AUTOS						
OTHER AUTOS ONLY SCHEDULED AUTOS						
UMBRELLA LMB OCCUR	EACH OCCURRENCE					
EXCESS LMB CLAIMS-MADE	AGGREGATE					
DED RETENTION \$						
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY FUTURE TEMPORARY DISABILITY OFFICIALS/EMERGENCY EXCLUDED (Mandatory in FL) If you describe under DESCRIPTION OF OPERATIONS below	T/R N/A	WCV0163040 04	12/12/2017	12/12/2018	PER STATUTE 100,000
						EL EACH ACCIDENT 100,000
						EL DISEASE - EA EMPLOYEE 500,000
						EL DISEASE - POLICY LIMIT 100,000
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (AGENCY ISL Assigned Remarks Schedule may be attached if more space is required)						

CERTIFICATE HOLDER

Miguel A. Moreno & Glenda Meale
489 Sassafras Avenue
Coral Gables, FL 33146

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE
THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN
ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Chuck Kempbell

ACORD 25 (2016/03)

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The ACORD name and logo are registered marks of ACORD



miguel moreno martin <mamorenomartin@gmail.com>

March 20th / nothing happened

miguel moreno martin <mamorenomartin@gmail.com>

20 de marzo de 2018, 20:50

Para: saadremodeling@gmail.com

Cc: Glenda Masis <glendamasis@gmail.com>

Dear all,

Tuesday March 20th.

As nobody showed up today to continue the construction work, we would like to remind you that there is a commitment from your side to have the master bathroom finished by Friday March 23rd.

The worst thing is that nobody called us to let us know of the absence of workers today. It was me who, after getting home, had to see no progress in the performance of the work and ask for explanations.

Thanks
Miguel moreno
440 Sansovino Ave (Home owner)

Mamo@iphone

4/26/2018

Gmail - Fwd: Intent to place a lien on our house



miguel moreno martin <mamorenomartin@gmail.com>

Fwd: Intent to place a lien on our house

1 mensaje

Glenda Masis <glendamasis@gmail.com>
Para: ICE Miguel Moreno <mamorenomartin@gmail.com>

26 de abril de 2018, 17:59

Imprime

Glenda Masis
Tel. 305 3168491


Begin forwarded message:

From: Glenda Masis <glendamasis@gmail.com>
Date: March 30, 2018 at 17:39:54 EDT
To: Saad Remodeling & Custom Home <saadremodeling@gmail.com>
Cc: ICE Miguel Moreno <mamorenomartin@gmail.com>
Subject: Intent to place a lien on our house

Angel,

We have received the attached letter from Lopefra, communicating the intent to place a lien on our property due to an unpaid amount of \$574.76 which has to be made within 7 days from 03/27/2018. We are going to monitor this very closely and really hope you solve it first thing Monday morning. We also expect a call from you to explain why we should have this kind of concerns on top of all others related to the development of the project, specially if we are current in our payments with Saad Remodeling.

Glenda Masis

 **IMG_0090.pdf**
1491K

From: Saad Remodeling & Custom Home saadremodeling@gmail.com
Subject: release
Date: April 4, 2018 at 12:20 PM
To: Glenda Masis glendamasis@gmail.com



Good afternoon,

Please see attached for your records.

Regards,

Angel Saad

Saad Remodeling &
Custom Home Builders, Inc
18191 NW 68 Ave #104
Miami Lakes, FL 33015
Ph: 305-829-3031
Fax: 305-507-8833

PARTIAL WAIVER AND RELEASE OF LIEN

KNOWN ALL MEN BY THESE PRESENTS, that the undersigned, Ernesto Vigistain Sr., as Vice-President of Lopefra Corp. in consideration of partial payment the sum of \$10,00, receipt whereof is hereby acknowledged, and other valuable considerations and benefits to the undersigned accruing; do hereby waive, release and quit claim all liens, lien rights, claims or demands of every kind whatsoever which the undersigned now has, or may hereafter have, against that certain real estate and the improvements thereon, situated in Miami Dade County, Florida and legally described as:

440 Sansovino AVE
Coral Gables, FL 33146

on account of work and labor performed, and/or materials furnished in, to, or about the construction of any building or buildings situated thereon, or in improving said property above described, or any part thereof.

It being the understanding of the undersigned that this is a Partial Waiver and Release of Lien which the undersigned has against the premises described herein, only to the extent of the payments specified and only for materials furnished or work done up until 04/01/2018 (but not releasing or waiving charges for changes, additions, or extras) Except on the listed invoices:

This waiver and release does not cover any retention or labor services, or materials furnished after the date specified. The undersigned warrants that no assignment of said liens or claims, nor the right to perfect a lien against said real estate, by virtue of the accrual of said payment, has or will be made, and that the undersigned has the right to execute this Partial Waiver and Release, and that all laborers employed by the undersigned, and all bills for materials and supplies furnished by others to the undersigned in connection with the construction of improvements upon the aforesaid premises, to the extent of the payment herein referred to, have been fully paid.

IN WITNESS WHEREOF, WE (I) have executed this instrument under seal, this 2nd day of April, 2018.

Attest: Saad Remodeling .

 (Seal)
By: Ernesto Vigistain Sr.

Lopefra Corp. Vice-President

(If Corporation, President or Vice president must sign, stating title.

Witnesses:



[Handwritten Signature]

If Partnership, a Partner must sign)

Subscribed and sworn to before me
this 2nd day of April, 2018.

Note: If payment is made by check, this release is conditioned upon payment of that check

My Commission Expires:



ALEJANDRO ESTEVEZ
NY COMMISSION # PC 12017
EXPIRES June 2, 2018
Bonded Non-Supervisory Notaries

[Handwritten Signature]
Notary Public State of Florida at Large



miguel moreno martin <mamorenomartin@gmail.com>

Fwd: 440 Sansovino Ave. Remodeling Project . Dissatisfaction Statement . April 8th 2018.

1 mensaje

Glenda Masis <glendamasis@gmail.com>
Para: ICE Miguel Moreno <mamorenomartin@gmail.com>

26 de abril de 2018, 18:18

Imprime

Glenda Masis
Tel. 305 3168491

Begin forwarded message:

From: Glenda Masis <glendamasis@gmail.com>
Date: April 9, 2018 at 12:08:59 EDT
To: deorozco@gaby@gmail.com, gdeorozco@bellsouth.net
Cc: ICE Miguel Moreno <mamorenomartin@gmail.com>
Subject: Fwd: 440 Sansovino Ave. Remodeling Project . Dissatisfaction Statement . April 8th 2018.

Dear Gaby,

As per our conversation over the phone. Please read the mail sent to Saad Remodeling (Angel Saad) in order to communicate our dissatisfaction with the project currently being developed at our house. As mentioned, feel free to come over the house anytime if you considerer it necessary.

Best regards,

Glenda Masis
Tel. 305 3168491

Begin forwarded message:

From: miguel moreno martin <mamorenomartin@gmail.com>
Date: April 8, 2018 at 23:47:34 EDT
To: "Saad Remodeling & Custom Home" <saadremodeling@gmail.com>, info@saadremodeling.com
Cc: Glenda Masis <glendamasis@gmail.com>
Subject: 440 Sansovino Ave. Remodeling Project . Dissatisfaction Statement . April 8th 2018.

Angel y/o Equipo SAAD REMODELING:

This mail has been written in Spanish. Should you need us to translate it into English, just let us know.

El propósito del siguiente mail es manifestaros de nuevo nuestra insatisfacción al respecto del proyecto y de nuevo solicitar un plan de

acción formal e inmediato por escrito para resolver todos y cada uno de ellos. Los puntos principales de insatisfacción son:

1 Duración del proyecto. Ha dejado de ser razonable considerando que:

El primer pago fue hecho en octubre de 2017, la demolición se inició en diciembre y los permisos fueron oficialmente aceptados el 31 de Enero incluyendo cambios.

El proyecto acumula muchos retrasos incumpliendo todos los compromisos:

-Acuerdo Inicial; Remodelacion terminada la última semana de Febrero. **No cumplido.**

-Acuerdo 16 de Marzo . Fecha de terminacion del master bathroom seria 23 de marzo 2018 y toda la obra terminada 17 de abril ,según mail con fecha 16 de Marzo en donde se aceptaron explícitamente estas fechas de terminacion. **No cumplido el master bathoroom y con pocas probabilidades de cumplir la fecha final del 17 de terminacion total teniendo en cuenta el ritmo de la obra. (Solo restan 6 dias laborables para esa fecha).**

Tercer compromiso del viernes 30 de marzo en visita a nuestra casa y en presencia del arquitecto Carlos Martí para tener el baño **terminado el martes 10 de Abril y mantener la fecha del 17 de abril de todo el proyecto terminado.**

Adjunto fichero con detalle de los pendientes y que muestran la poca probabilidad de cumplir estas fechas de nuevo."Saad Construction Report April 8.pdf".

2 Calidades del proyecto. El trabajo realizado hasta ahora no está de acuerdo con las calidades acordadas ni en materiales, ni en funcionalidad y ademas con algunos isseus al respecto de la seguridad.

Ejemplos de deficiente terminación: **Diferencia de color de loza en las zonas de aires acondicionados y armarios del pasillo y que a pesar de múltiples peticiones de cambio (véase email del 23 de enero de 2018) siguen igual.**

Master Bathroom . Lozas mal colocadas presentando evidencias de un trabajo **NO PROFESIONAL (Adjuntamos detalle de las lozas mal alineadas y no niveladas).** Ver fichero adjunto "Saad Construction Report April 8.pdf.

Por otro lado, el proveedor Ferguson nos ha hecho llegar un "inwall tank face" de segunda mano y con el aparente consentimiento de SAAD Remodeling mano de aceptar items de show room(factura a tu disposición en el fichero adjunto) en vez de nuevos.

3 Seguridad. En este punto, entendemos que la gestion de los "debris" y "materials" estan provocando problemas de seguridad.

Véase mail enviado del 19 de enero al respecto del container de "Lopetra" por el exceso de carga o las fotos de la terminación del baño (nichos con aristas cortantes, materiales de segunda mano con clavos expuestos en fichero adjunto "Saad Construction Report April 8.pdf). y suciedad escombros dejados en el perímetro de la casa y escombros que ponen en peligro la integridad de mi familia.

Les ruego nos hagan llegar copia del seguro que tenéis que tener contratado de acuerdo al contrato y a la legislación vigente para cualquier eventual contingencia.

Adicionalmente, al respecto la seguridad de nuestra familia, habida cuenta de que no tenemos control de los contratistas que entran y salen de la casa, ni de los horarios (pues no tenemos comunicado calendario alguno), ni se nos comunica con previa antelación; por nuestra seguridad, les ruego nos hagan llegar las llaves de la casa que tienen en su poder a la mayor brevedad y, cuando necesiten acceder a la casa, dejennos saber con la debida antelación para garantizarles el acceso.

4 Liderazgo, gestión del proyecto y comunicación.

Liderazgo

Durante el proyecto no ha habido una directriz clara por parte de Angel Saad y no hay presencia de nadie con capacidad de decision . La visita al proyecto cada dos semanas es insuficiente. En varias ocasiones (me pongo a tu disposición para confirmar con alguno de tus subcontratistas implicados) hemos sido nosotros los que hemos sido requeridos para explicar detalles del proyecto que nadie de SAAD Remodeling contestaba. **Por favor ver mails enviado fecha del 24 de marzo como ejemplo de una de estas situaciones.**

Gestión del proyecto y proveedores

Indisponibilidad de material. En varias ocasiones, los sub contratistas tenían que ir a comprar material o posponer su trabajo por no tener las herramientas / materiales necesarios.

Adicionalmente, no se ha hecho entrega del material para terminar el suelo ni del bath room ni del resto de la casa pese a ver sido solicitado en varias ocasiones , **disponer del espacio necesario en las dependencias de nuestra casa.**

No está disponible el CRISTAL de la ducha y no fue posible instalar el pedestal temporal por que no estaban disponibles los brackets para la instalación sobre la pared.

Adicionalmente faltan por entregar 700 pies de loza del suelo de la casa correspondiente al draw #1 ya pagado.

Al respecto de los pagos a contratistas, hemos recibido **dos quejas de los pagos a proveedores (uno de Loprefa -mail fecha 30 de marzo) y otra de Luis el Locero el cual nos comentaba que no recibía la compensación acordada.**

Comunicación.

Vuestra indisponibilidad para atender llamadas de teléfono tanto mías como de Glenda y la no contestación de los mails por parte vuestra pidiendo planes de resolución de problemas es reiterado; no teniendo contestación concreta de la gran mayoría de ellos. **Esperamos que este mail se conteste en tiempo y forma (en las proximas horas y punto por punto por favor).**

5 Pagos y relacion con el avance del proyecto

Hemos sido requeridos hasta la fecha para el pago de un total de \$52,823 y sin embargo varios de los "draws" no han sido iniciados (hood de la cocina (pagado \$1.137 que es el 100 % del total) , cabana bathroom (reducción del baño de la cocina) pagado \$3.736 (50% del total) y la compra de los cabinets custom made de la cocina y vanity del master bathroom \$4.900 (kitchen cabinets ordered).

Los pagos hasta la fecha han sido de un total del 67,20% de la obra estando el homeowner al corriente en el calendario de pagos, no correspondiendose estos pagos con el nivel de evolución de la remodelación.

Por último, a pesar de haber pedido el desglose de los costes del trabajo en varias ocasiones seguimos sin disponer del break down de los mismos. **Una vez mas, hacemos petición formal del desglose de los costes de este proyecto.**

Les ruego de nuevo nos den respuesta a todos estos puntos lo antes posible.

Atte: Miguel Moreno and Glenda Masis
440 sansovino Ave
April 8 2018

 **Saad construction report April 8.pdf**
1295K



miguel moreno martin <mamorenomartin@gmail.com>

Fwd: 440 Sansovino Ave. April 9th agreements.

1 mensaje

Glenda Masis <glendamasis@gmail.com>
Para: ICE Miguel Moreno <mamorenomartin@gmail.com>

26 de abril de 2018, 18:01

Imprime

Glenda Masis
Tel. 305 3168491

Begin forwarded message:

From: miguel moreno martin <mamorenomartin@gmail.com>
Date: April 10, 2018 at 09:04:35 EDT
To: Saad Remodeling & Custom Home <saadremodeling@gmail.com>, info@saadremodeling.com
Cc: Glenda Masis <glendamasis@gmail.com>
Subject: 440 Sansovino Ave. April 9th agreements.

Good morning:

As discussed yesterday , regarding Topic #1 in previous email below (duration and due dates) Saad remodeling agreed to have master bathroom finished by Friday 13th .

Regarding bathroom vanity cabinets , Saad also agreed to provide info about credit to be refunded to homeowners if homeowner finally decides to buy this item instead waiting for having altogether ordered (kitchen and master bathroom) as suggested by Saad.

Just to remind you the need of having master bathroom operational (toilette and shower) by the date mentioned above and glass doors, hand shower head, sinks and faucets should be also delivered and damaged parts replaced.

Regarding our email below , I encourage you to answer every topic below as requested and as regular practice of communication between provider and customer .

Thanks
Miguel

On Apr 8, 2018, at 11:47 PM, miguel moreno martin <mamorenomartin@gmail.com> wrote:

Angel y/o Equipo SAAD REMODELING:

This mail has been written in Spanish. Should you need us to translate it into English, just let us know.

El propósito del siguiente mail es manifestaros de nuevo nuestra insatisfacción al respecto del proyecto y de nuevo solicitar un plan de acción formal e inmediato por escrito para resolver todos y cada uno de ellos. Los puntos principales de insatisfacción son:

1 Duración del proyecto. **Ha dejado de ser razonable** considerando que:

El primer pago fue hecho en octubre de 2017, la demolición se inició en diciembre y los permisos fueron oficialmente aceptados el 31 de Enero incluyendo cambios.

El proyecto acumula muchos retrasos incumpliendo todos los compromisos:

-Acuerdo Inicial; Remodelacion terminada la última semana de Febrero. **No cumplido.**

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Master Bathroom . Lozas mal colocadas presentando evidencias de un trabajo **NO PROFESIONAL (Adjuntamos detalle de las lozas mal alineadas y no niveladas).** Ver fichero adjunto **"Saad Construction Report April 8.pdf.**

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Les ruego de nuevo nos den respuesta a todos estos puntos lo antes posible.

Atte: Miguel Moreno and Glenda Masis
440 sansovino Ave
April 8 2018

<Saad construction report April 8.pdf>

4/26/2018

Gmail - 440 Sansovino Ave status April 23th . Main suite flooded .



miguel moreno martin <mamorenomartin@gmail.com>

440 Sansovino Ave status April 23th . Main suite flooded .

1 mensaje

miguel moreno martin <mamorenomartin@gmail.com>

23 de abril de 2018, 9:10

Para: saadremodeling@gmail.com

Cc: Glenda Masis <glendamasis@gmail.com>, asaad@southcaptelecom.com, angelsaad@aol.com

Saad and remodeling people

1 As of April 23rd main bathroom still incomplete

Many issues still not fixed (find enclosed some pics)

Last commitment of having project finished by April 17th not achieved () and no other estimate provided to have this mess fixed

2 Find also a picture of main suite floor . Floor got ruined as you guys caused a flood when doing something at the bathroom

Let me know who will fix this and when .

3 nobody showed up today

Friday and Thursday neither

Definitely the most unprofessional behavior ever seen.

Mamo@iphone

5 archivos adjuntos

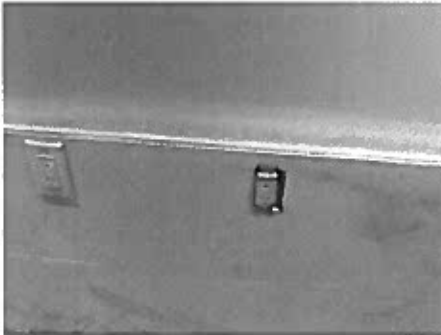
2018-04-23-PHOTO-00000053.jpg
179K

4/26/2018

Gmail - 440 Sansovino Ave status April 23th . Main suite flooded .



2018-04-23-PHOTO-00000054.jpg
100K



2018-04-23-PHOTO-00000055.jpg
106K



2018-04-23-PHOTO-00000056.jpg
183K



2018-04-23-PHOTO-00000057.jpg
147K

4/30/2018

Gmail - 440 sansovino status/master bathroom pending things



miguel moreno martin <mamorenomartin@gmail.com>

440 sansovino status/master bathroom pending things

1 mensaje

miguel moreno martin <mamorenomartin@gmail.com>

30 de abril de 2018, 16:01

Para: Saad Remodeling & Custom Home <saadremodeling@gmail.com>

Cc: Angel Saad <angelsaad@aol.com>, Gienda Masis <glendamasis@gmail.com>

Angel,

As mentioned over the phone this morning, Master Bathroom is not finished yet, and considering that you expressed not to know what is pending for the master bathroom to be done, I am attaching a document with pictures as for today, in order for you to see that the bathroom is currently not functional and still a lot of things that need to be repair or finished.

As you already said to us that you do not read the e-mails because it is a waste of your time and nobody from your team came to work since last Tuesday, it is important for you to review the attached report carefully as it is the only way for us to explain what is pending to be done in order to finish this part of the project that you committed to be done on March 23rd (more than a month ago).

For your record, some pending and construction defects:

1. Shower door not delivered yet
2. Sinks and faucets not delivered yet
3. Vanity not ordered yet
4. Aluminum trim missing or poorly installed
5. Hand shower still not installed
6. Poor workmanship on floor and walls tiling

Etc. Please refer to the attached report (it is compress in order to be able to add all pictures)

Miguel Moreno
440 sansovino

 **Master bathroom report.pdf**
631K



LOPEFRA CORP.



7855 N.W 29 ST. Ste 182 ♦ Doral, FL 33122 ♦ (305) 266-3896 ♦ Fax (305) 266-9825

NOTICE OF INTENT TO LIEN

The undersigned hereby informs you that in pursuance of a contract with SAAD REMODELING & CUSTOM HOME BUILDERS, INC., we have furnished labor, materials, and/or services consisting of equipment rental & fill materials on the following described real property located in Miami Dade County, Florida:

FOLIO# 03-4120-023-3130
440 SANSOVINO AVE
CORAL GABLES RIVIERA SEC 2 REV
PB 28-18 LOTS 4 & 5 BLK 101
LOT SIZE 100 X 100
MIAMI DADE COUNTY FLORIDA (TR)

Which property is owned by the following as their interests may appear:

MIGUEL ANGEL MORENO MARTIN
GLENDA MAGALLY MASIS CHACON
440 SANSOVINO AVENUE
CORAL GABLES, FL 33146

Said labor, materials, and/or services were of a total value of \$952.96 which there remains unpaid \$574.76. If we do not receive any payment within 7 days of the date of this notice, a lien will be placed on this property. Please govern yourselves accordingly to avoid any lien action.

By: Rosemary L. Hartigan
Rosemary L. Hartigan, Esq.
Vice President & General Counsel
Lopefra Corp.
7855 N.W 29 ST, Ste182
Doral, FL 33122

Date: 3/27/18

cc: Saad Remodeling & Custom Home Builders

CITY'S

EXHIBIT 5