

BEFORE THE CONSTRUCTION REGULATION BOARD  
OF THE CITY OF CORAL GABLES

CITY OF CORAL GABLES,

Case # 15-4614

Petitioner,

vs.

BILTMORE II CONDOMINIUM  
ASSOCIATION, INC.  
a Florida not for profit corporation

Respondent.

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**NOTICE OF UNSAFE STRUCTURE VIOLATION FOR  
FAILURE TO RECERTIFY AND NOTICE OF HEARING**

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Date: December 29, 2015

To:

**Condominium Association**  
Biltmore II Condominium  
Association, Inc.  
c/o David H. Rogel  
Registered Agent  
Becker & Poliakoff, P.A.  
121 Alhambra Plaza, 10<sup>th</sup> Floor  
Coral Gables, FL 33134

Return receipt number:

91 7108 2133 3932 7181 7341

Re: The twelve-story residential condominium buildings consisting of 232 units ("Structure"), built in 1973 (40-year recertification required), and located at **600 Biltmore Way**, Coral Gables, FL 33134-7541, legally described as all of Block 8, of PLAT CORAL GABLES BILTMORE SECTION, according to the Plat thereof. as

recorded in Plat Book 20, Page 28, of the Public Records of Miami-Dade County, Florida; and having folio number 03-4117-025-0001 ("Property").

The City of Coral Gables ("City") Building Official has inspected the records relating to the Structure in accordance with Article III, Chapter 105 of the City Code, pertaining to unsafe structures, and Section 8-11 of the Miami-Dade County Code, as applicable in the City, pertaining to existing buildings. The Structure is hereby declared unsafe by the Building Official and is presumed unsafe pursuant to Section 105-186(j)(13) of the City Code for failure to timely comply with the maintenance and recertification requirements of the Florida Building Code or Section 8-11 of the Miami-Dade County Code as follows:

On March 1, 2013, the City sent the Property Owner a 90-day Notice of Required Inspection for the Property's requesting an inspection report conforming to the minimum inspection procedural guidelines as issued by the Miami-Dade County Board of Rules and Appeals, pursuant to Section 8-11(f) of the Miami-Dade County Code ("Report").

On June 2, 2015, the City sent the Property Owner the City sent the Property Owner notices that the Report was past due.

To date, the Owner has not a) submitted the Report; b) completed the required repairs and c) submitted a letter from the architect or engineer who prepared the Report stating that the Structure now meets the minimum requirements ("Compliance Report")(collectively referred to as "Required Action").

**Therefore, 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 January 11, 2016, at 2:00 p.m.**

You may appeal the decision of the Building Official to the Board by appearing at the hearing. 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, if someone other than an attorney will be attending the hearing on your behalf, he or she 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](mailto:bgarcia@coralgables.com), tel: (305) 460-5229.


If the Required Action is not completed before the above hearing date, the Building Official may order that the structure be vacated, boarded, secured, and posted (including, but not limited to, requesting the electric utility to terminate service to the Structure) to prevent further occupancy until the Required Action is completed. The Building Official may also order demolition of the Structure and recover the costs incurred against the Property and the Owner of record.

If the Property Owner or other interested party does not take all Required Action or appeal the decision of the Building Official, the Construction Regulation Board may enter an order of

demolition and assess all costs of the proceedings and demolition and other Required Action for which the City shall have a lien against the Property and the Property Owner.

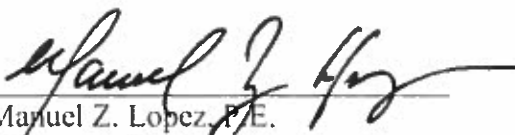
Please contact Virginia Goizueta, Building Services Coordinator, tel.: (305) 460-5250, email: [vgoizueta@coralgables.com](mailto:vgoizueta@coralgables.com), or Manuel Z. Lopez, P.E., Building Official, tel.: (305) 460-5242, email: [mlopez@coralgables.com](mailto:mlopez@coralgables.com). The Development Services Department's hours are Monday through Friday, 7:30 a.m. to 3:30 p.m.

Please govern yourself accordingly.

  
Manuel Z. Lopez, P.E.  
Building Official

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on December 29, 2015, a true and correct copy of the foregoing notice was served via certified mail, return receipt requested, by first class mail, via e-mail at any e-mail address indicated above, and by hand-delivery or posting at the Property.

  
Manuel Z. Lopez, P.E.  
Building Official

### 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.

**ADA Assistance:** The City complies with the provisions of the American with Disabilities Act. Individuals with disabilities requiring special accommodations or assistance should contact Ernesto Pino, Assistant Public Works Director, at (305) 460-5004, with requests for auxiliary aids or services at least one business day before the hearing in order to request such assistance.



CITY OF CORAL GABLES  
DEVELOPMENT SERVICES DEPARTMENT  
Affidavit of Posting

Complaint/Case #: 15-4614

Title of Document Posted: Construction Regulation Board Case

I, JORGE PINO, DO HEREBY SWEAR/AFFIRM THAT  
THE AFOREMENTIONED NOTICE WAS PERSONALLY POSTED, BY ME, AT THE  
ADDRESS OF 600 Biltmore Way, ON 12/29/15  
AT 1:50 PM.

J. PINO  
Employee's Printed Name

[Signature]  
Employee's Signature

STATE OF FLORIDA )  
ss.  
COUNTY OF MIAMI-DADE )

Sworn to (or affirmed) and subscribed before me this 29 day of December, in  
the year 20 15, by Jorge A Pino who is personally known to  
me.

My Commission Expires:



[Signature]  
Notary Public



12/29/2015 13:49

BUILDING PERMIT

MT

Call to request an  
on-site inspection

Call to request an  
on-site inspection

BUILDING PERMIT

BEFORE THE CONSTRUCTION REGULATION BOARD  
OF THE CITY OF CORAL GABLES

CITY OF CORAL GABLES

Case # 15-4614

Permit #

600 Baltimore Way

600 BALTIMORE WAY  
CONDOMINIUM  
ASSOCIATION  
CORPORATION

NOTICE OF UNSAFE STRUCTURE VIOLATION FOR  
FAILURE TO RECERTIFY AND NOTICE OF HEARING

Date: December 8<sup>th</sup>, 2015

To:  
Condominium Association  
Baltimore Way Condominium  
Association, Inc.  
c/o David H. Raposa  
Registered Agent  
Becker A. Polakoff, P.A.  
1211 Alhambra Plaza, 11<sup>th</sup> Floor  
Coral Gables, FL 33134

Return receipt number:

91 7108 2133 3432 7101 7341

Re: The twelve-story residential condominium building consisting of 232 units ("Structure"), built in 1973 (40-year recertification required), and located at 600 Baltimore Way, Coral Gables, FL 33134-2541, legally described as all of Block 8 of PLAT CORAL GABLES BILTMORE SECTION, according to the Plat thereof as

15-4614

600

BILTMORE

Page 1 of 3

12/29/2015 13:48

BEFORE THE CONSTRUCTION REGULATION BOARD  
OF THE CITY OF CORAL GABLES

CITY OF CORAL GABLES,

Case # 15-4614

Petitioner.

vs.

BILTMORE II CONDOMINIUM  
ASSOCIATION, INC.  
a Florida not for profit corporation

Respondent.

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**NOTICE OF UNSAFE STRUCTURE VIOLATION FOR  
FAILURE TO RECERTIFY AND NOTICE OF HEARING**

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Date: January 22, 2016

To:

**Condominium Association**  
Biltmore II Condominium  
Association, Inc.  
c/o David H. Rogel  
Registered Agent  
Becker & Poliakoff, P.A.  
121 Alhambra Plaza, 10<sup>th</sup> Floor  
Coral Gables, FL 33134

Return receipt number:

91 7108 2133 3932 6905 4161

Re: The twelve-story residential condominium buildings consisting of 232 units ("Structure"), built in 1973 (40-year recertification required), and located at **600 Biltmore Way**, Coral Gables, FL 33134-7541, legally described as all of Block 8, of PLAT CORAL GABLES BILTMORE SECTION, according to the Plat thereof, as recorded in Plat Book 20, Page 28, of the Public Records of Miami-Dade County, Florida; and having folio number 03-4117-025-0001 ("Property").



The City of Coral Gables ("City") Building Official has inspected the records relating to the Structure in accordance with Article III, Chapter 105 of the City Code, pertaining to unsafe structures, and Section 8-11 of the Miami-Dade County Code, as applicable in the City, pertaining to existing buildings. The Structure is hereby declared unsafe by the Building Official and is presumed unsafe pursuant to Section 105-186(j)(13) of the City Code for failure to timely comply with the maintenance and recertification requirements of the Florida Building Code or Section 8-11 of the Miami-Dade County Code as follows:

On March 1, 2013, the City sent the Property Owner a 90-day Notice of Required Inspection requesting an inspection report conforming to the minimum inspection procedural guidelines as issued by the Miami-Dade County Board of Rules and Appeals, pursuant to Section 8-11(f) of the Miami-Dade County Code ("Report").

On June 2, 2015, the City sent the Property Owner the City sent the Property Owner notices that the Report was past due.

The Report, submitted to the City on January 6, 2016, stated that the Structure did not meet the minimum requirements to be recertified as structurally and electrically safe. The Report noted that the following items required repair or modification: **Electrical:** 1) electrical service; 2) gutters; 3) electrical panels; 4) branch circuits; 5) grounding service; 6) grounding of equipment; 7) service conduits/raceways; 8) service conductor and cables; 9) types of wiring methods; 10) feeder conductors; 11) emergency lighting; 12) building egress illumination; 13) wiring in parking garage areas; 14) garage areas and egress illumination; 15) swimming pool wiring; 16) wiring to mechanical equipment; 17) electrical conduits are not firestopped; 18) corroded/damaged electrical equipment; 19) electrical equipment missing covers and improperly terminated wires; 20) conduits, receptacles and wiring not securely fastened; 21) disconnecting devices not marked; 22) receptacles without required protection or missing; 23) branch circuit cables for the landscape fixtures not buried; and 24) garbage disposal conduits are corroded.

To date, the Owner has not a) completed the required repairs and b) submitted a letter from the architect or engineer who prepared the Report stating that the Structure now meets the minimum requirements ("Compliance Report")(collectively referred to as "Required Action").

**Therefore, 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 February 8, 2016, at 2:00 p.m.**

You may appeal the decision of the Building Official to the Board by appearing at the hearing. 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, if someone other than an attorney will be attending the hearing on your behalf, he or she must provide a power of attorney from you at the time of the hearing. Requests for continuance must be made in writing to Belkys



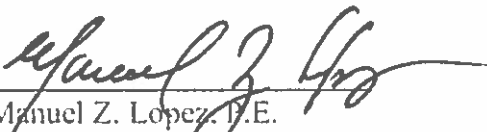
Garcia, Secretary to the Board, at City of Coral Gables, Development Services Department, 405 Biltmore Way, 3rd Floor, Coral Gables, FL 33134, [bgarcia@coralgables.com](mailto:bgarcia@coralgables.com), tel: (305) 460-5229.

If the Required Action is not completed before the above hearing date, the Building Official may order that the structure be vacated, boarded, secured, and posted to prevent further occupancy until the Required Action is completed. The Building Official may also order demolition of the Structure and recover the costs incurred against the Property and the Owner of record.

If the Property Owner or other interested party does not take all Required Action or appeal the decision of the Building Official, the Construction Regulation Board may enter an order of demolition and assess all costs of the proceedings and demolition and other Required Action for which the City shall have a lien against the Property and the Property Owner.

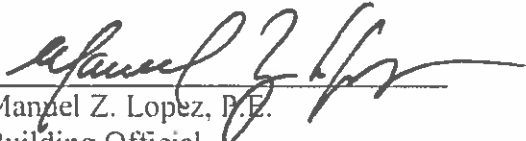
Please contact Virginia Goizueta, Building Services Coordinator, tel.: (305) 460-5250, email: [vgoizueta@coralgables.com](mailto:vgoizueta@coralgables.com), or Manuel Z. Lopez, P.E., Building Official, tel.: (305) 460-5242, email: [mlopez@coralgables.com](mailto:mlopez@coralgables.com). The Development Services Department's hours are Monday through Friday, 7:30 a.m. to 3:30 p.m.

Please govern yourself accordingly.

  
Manuel Z. Lopez, P.E.  
Building Official

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on January 22, 2016, a true and correct copy of the foregoing notice was served via certified mail, return receipt requested, by first class mail, via e-mail at any e-mail address indicated above, and by hand-delivery or posting at the Property.

  
Manuel Z. Lopez, P.E.  
Building Official

## 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.

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CITY OF CORAL GABLES  
DEVELOPMENT SERVICES DEPARTMENT  
Affidavit of Posting

Complaint/Case #: 15-4614

Title of Document Posted: Construction Regulation Board Case

I, DENNIS POIN, DO HEREBY SWEAR/AFFIRM THAT  
THE AFOREMENTIONED NOTICE WAS PERSONALLY POSTED, BY ME, AT THE  
ADDRESS OF 600 Biltmore Way ON 1-22-16  
AT 9:00 AM.

DENNIS POIN  
Employee's Printed Name

[Signature]  
Employee's Signature

STATE OF FLORIDA )  
SS.  
COUNTY OF MIAMI-DADE )

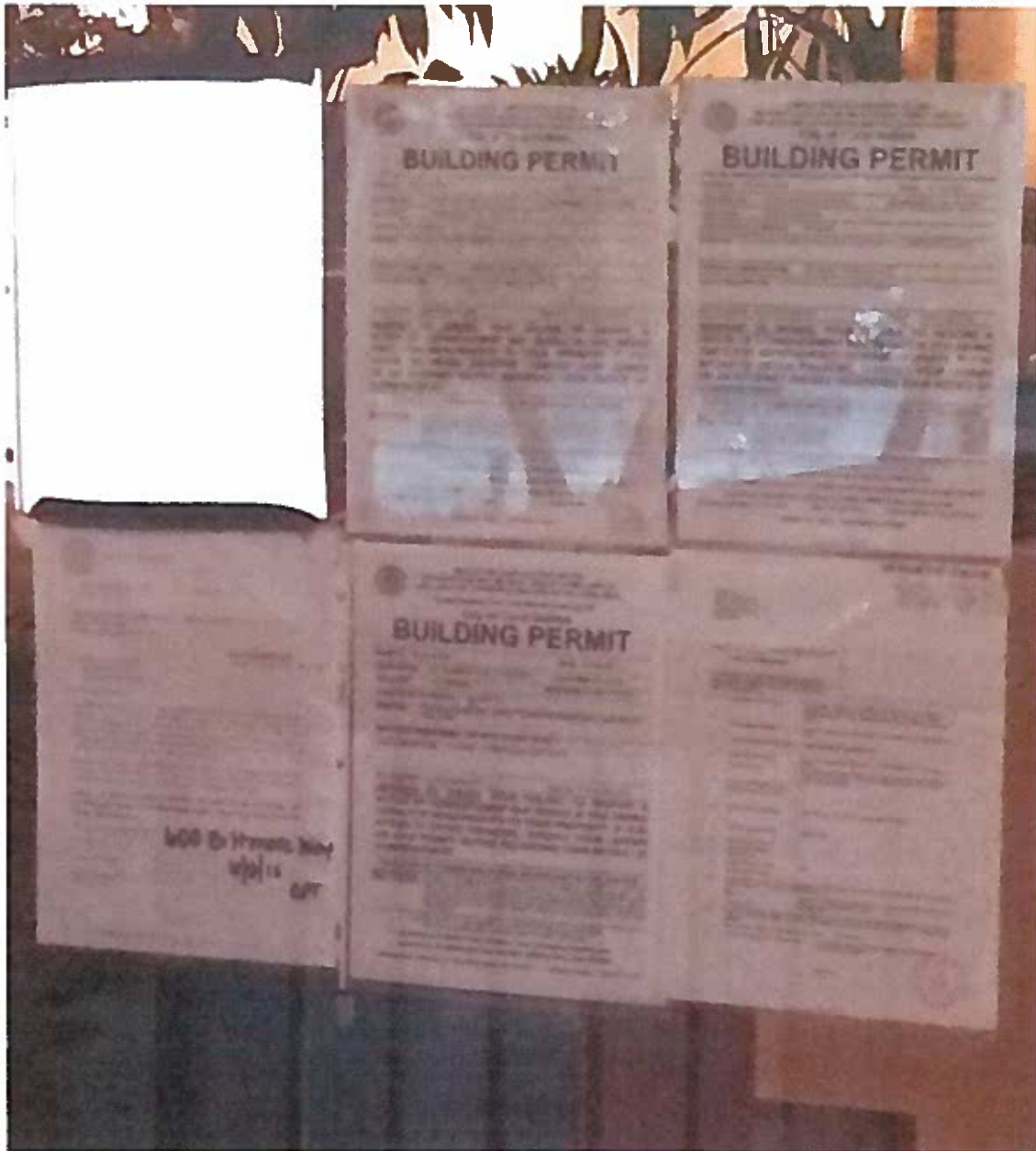
Sworn to (or affirmed) and subscribed before me this 22<sup>nd</sup> day of January, in  
the year 2016, by Dennis Poin who is personally known to  
me.

My Commission Expires:



Belkys Garcia  
Notary Public

600 Biltmore Way



After recording return to:  
Belkys Garcia  
Secretary to the Construction  
Regulation Board  
Development Services Department  
City of Coral Gables  
405 Biltmore Way, 3rd Floor  
Coral Gables, FL 33134-5717

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CFN: 20160102557 BOOK 29967 PAGE 3044  
DATE:02/18/2016 04:03:58 PM  
HARVEY RUVIN, CLERK OF COURT, MIA-DADE CTY

## CITY OF CORAL GABLES CONSTRUCTION REGULATION BOARD

CITY OF CORAL GABLES,

Case # 15-4614

Petitioner,

vs.

BILTMORE II CONDOMINIUM  
ASSOCIATION, INC.  
a Florida not for profit corporation

Respondent.

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### ORDER DECLARING STRUCTURE UNSAFE

This cause was brought before the Construction Regulation Board ("Board") of the City of Coral Gables ("City"), on February 8, 2016, on the Notice of Unsafe Structure Violation for Failure to Recertify and Notice of Hearing ("Notice"). The Board, having heard the arguments of the parties and having considered any evidence presented, hereby enters this Order Declaring Structure Unsafe ("Order") and finds, concludes, and orders as follows:

#### Findings of Fact

1. The City properly served the Notice on the owner, Biltmore II Condominium Association, Inc. ("Owner"), and any lienholders of record of the twelve-story residential condominium buildings consisting of 232 units ("Structure"), built in 1973 (40-year recertification required), and located at 600 Biltmore Way, Coral Gables, FL 33134-7541, legally described as all of Block 8, of PLAT CORAL GABLES BILTMORE SECTION, according to the Plat thereof, as recorded in Plat Book 20, Page 28, of the Public Records of Miami-Dade County, Florida; and having folio number 03-4117-025-0001 ("Property").

2. The Notice alleges that the Structure is unsafe because an inspection report pursuant to the minimum inspection procedural guidelines as issued by the Miami-Dade County Board of Rules and Appeals, required by Section 8-11 of the Miami-Dade County Code ("Report"), and furnished by or on behalf of the Owner on January 6, 2016, revealed that the Structure did not meet the minimum requirements to be recertified as structurally and electrically safe.

3. The Report revealed that the following items required repair or modification: **Electrical:** 1) electrical service; 2) gutters; 3) electrical panels; 4) branch circuits; 5) grounding

service; 6) grounding of equipment; 7) service conduits/raceways; 8) service conductor and cables; 9) types of wiring methods; 10) feeder conductors; 11) emergency lighting; 12) building egress illumination; 13) wiring in parking garage areas; 14) garage areas and egress illumination; 15) swimming pool wiring; 16) wiring to mechanical equipment; 17) electrical conduits are not firestopped; 18) corroded/damaged electrical equipment; 19) electrical equipment missing covers and improperly terminated wires; 20) conduits, receptacles and wiring not securely fastened; 21) disconnecting devices not marked; 22) receptacles without required protection or missing; 23) branch circuit cables for the landscape fixtures not buried; and 24) garbage disposal conduits are corroded.

4. On December 29, 2015, the City notified the Owner that it must complete the repairs and submit a letter from the architect or engineer who prepared the Report stating that the Structure now meets the minimum requirements ("Compliance Report").

5. To date, the Owner has not completed the required repairs and has not submitted a Compliance Report ("Required Action").

#### Conclusions of Law

6. The Structure is presumed and is hereby declared unsafe pursuant to Section 105-186(j)(13) of the City Code for failure to timely comply with the maintenance and recertification requirements of the Florida Building Code or Section 8-11 of the Miami-Dade County Code.

#### Order

It is, therefore, ORDERED:

7. *Required Action.* The Owner shall take the Required Action as follows: a) the Owner shall pass final inspection on all required permits to meet the minimum requirements as noted in the Report and shall submit a Compliance Report within 30 days from the date of this Order. Otherwise, the Owner shall provide a status report at the March 14, 2016 hearing, including a written agreement from a licensed architect or engineer to provide a Compliance Report by a specific deadline.

8. *Request for compliance inspection.* It is the responsibility of the Owner to contact the Building Official to request an inspection of City records and of the Property, as applicable, to determine compliance with this Order and to notify the City of any compliance action taken.

9. *Payment of costs, fines, and demolition by City.* The Owner shall pay, within 7 days of the date of this Order, the City's administrative costs to date of \$600, in addition to the costs of recording this Order. If the Owner does not comply with any of the applicable deadlines above, the Building Official may immediately and without further order from this Board, order that the structure be vacated, boarded, secured, and posted (including, but not limited to, requesting the electric utility to terminate service to the Structure) to prevent further occupancy and the City may demolish the Structure. The City may sell as salvage or require the demolition contractor to dispose of the contents of the Structure. In addition, the Owner shall pay a fine of \$250 for each day the violation continues past the date set for compliance, for which the City shall have a lien against the Owner and the Property. The Board may also enter an order of demolition and assess all costs of the proceedings and demolition and other required action for which the City shall have a lien against the Owner and the Property. **Until the Structure is recertified in compliance the terms of this Order, the City shall not issue any further**

development approvals for the Property, including, but not limited to, building permits, unless the development approval is required to comply with the terms of this Order.

10. *Requests for extension of time.* The Building Official, in his sole discretion, may extend any of the above deadlines for good cause beyond the control of the Owner and that the Owner acted in good faith and exercised due diligence in the efforts to take all Required Action, to apply for any required permits, and to request an extension of any deadlines, as applicable.

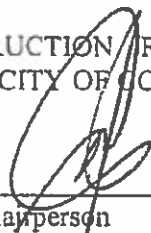
11. *Lien for costs and notice to subsequent purchasers.* The City shall have a special assessment lien for its administrative costs and the costs of corrective action, including but not limited to, securing the Structure and demolition ("Costs"), against the real and personal property of the Owner, including the Property. The lien for Costs shall have equal dignity with a lien for taxes. In order to have this lien, the City shall record this Order and an affidavit for any additional Costs, as applicable. Once recorded in the Public Records of Miami-Dade County, Florida, a copy of this Order shall constitute notice to any subsequent purchasers, successors in interest, or assigns, and the findings herein shall be binding upon the Owner and any subsequent purchasers, successors in interest or assigns.

12. *City's remedies are cumulative.* This Order notwithstanding, the City may enforce its code by any other lawful means.

13. **NOTICE:** If the Respondent does not comply with the terms of this Order, the City may issue a Notice of Non-Compliance ("Notice"). The Respondent may request an administrative hearing that shall be strictly limited to determining whether the Respondent complied with the terms of this Order. Requests for a hearing 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 33134-5717, [bgarcia@coralgables.com](mailto:bgarcia@coralgables.com), tel: (305) 460-5229. Failure to request an administrative hearing within seven (7) days after service of the Notice shall constitute a waiver of the Respondent's right to the hearing. The Respondent shall be liable for the reasonable costs of the administrative hearing, if the Respondent does not prevail at the hearing.

DONE AND ORDERED at the City of Coral Gables, Miami-Dade County, Florida, on this 16 day of February, 2016.

CONSTRUCTION REGULATION BOARD  
OF THE CITY OF CORAL GABLES



\_\_\_\_\_  
Board Chairperson

**Notice of Deadline to Appeal**

**PURSUANT TO SECTION 105-192(b) OF THE CITY CODE, AN APPEAL OF THIS ORDER MAY BE FILED IN THE CIRCUIT COURT IN MIAMI-DADE COUNTY, FLORIDA, WITHIN THIRTY DAYS OF THE FILING OF THIS ORDER.**



**Certificate of Filing and Service**

I HEREBY CERTIFY that the original of this Order was filed with the Secretary of the Board, on this 16 day of February, 2016 and that, on the same date, a true and correct copy of the foregoing was served by certified mail, return receipt requested, and by first class mail (and via e-mail at any e-mail address indicated below) on:

**Condominium Association**

Biltmore II Condominium  
Association, Inc.  
c/o David H. Rogel  
Registered Agent  
Becker & Poliakoff, P.A.  
121 Alhambra Plaza, 10<sup>th</sup> Floor  
Coral Gables, FL 33134

Return receipt number:

91 7108 2133 3932 6926 2146

  
\_\_\_\_\_  
Belkys Garcia  
Secretary to the Board

BEFORE THE CONSTRUCTION REGULATION BOARD  
OF THE CITY OF CORAL GABLES

CITY OF CORAL GABLES,

Case # 15-4614

Petitioner.

vs.

BILTMORE II CONDOMINIUM  
ASSOCIATION, INC.,  
a Florida not for profit corporation,

Respondent.

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**NOTICE OF HEARING ON NON-COMPLIANCE  
WITH UNSAFE STRUCTURES ORDER**

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Date: February 24, 2016

To:

**Condominium Association**  
Biltmore II Condominium  
Association, Inc.  
c/o David H. Rogel  
Registered Agent  
Becker & Poliakoff, P.A.  
121 Alhambra Plaza, 10<sup>th</sup> Floor  
Coral Gables, FL 33134

Return receipt number:

91 7108 2133 3932 7179 1610

**Re:** The twelve-story residential condominium buildings consisting of 232 units ("Structure"), built in 1973 (40-year recertification required), and located at **600 Biltmore Way**, Coral Gables, FL 33134-7541, legally described as all of Block 8, of PLAT CORAL GABLES BILTMORE SECTION, according to the Plat thereof, as recorded in Plat Book 20, Page 28, of the Public Records of Miami-Dade County, Florida; and having folio number 03-4117-025-0001 ("Property").

You are directed to appear for a hearing before the before the City's Construction Regulation Board ("Board") in the Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida 33134, on March 14, 2016. at 2:00 p.m.

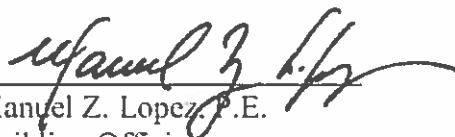
The hearing will be held regarding the Notice of Non-Compliance with Unsafe Structures Order and Right to Request Hearing. **The hearing shall be strictly limited to determining whether and when you took the Required Action or demolished the Structure and paid the administrative costs as required by the Order and the amount of the fine to be imposed based upon the length of time the violation(s) have continued to exist.**

You may appeal the decision of the Building Official to the Board by appearing at the hearing. 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, if someone other than an attorney will be attending the hearing on your behalf, he or she must provide a power of attorney from you at the time of the hearing. Requests for continuance must be made in writing to Belkis 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](mailto:bgarcia@coralgables.com), tel: (305) 460-5229.

If you do not prevail at the hearing, the Construction Regulation Board may impose fines not to exceed \$250 for each day the violation continues past the date set for compliance and may also enter an order of demolition and assess all costs of the proceedings, in an amount not less than \$150, and the costs of demolition and other required action, for which the City shall have a lien against the Property owner and the Property.

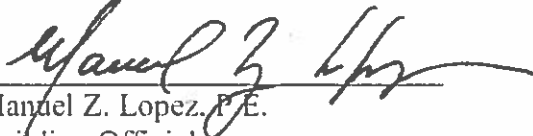
If you comply with the Board's prior order before the hearing, please contact Virginia Goizueta, Building Services Coordinator, tel.: (305) 460-5250, email: [vgoizueta@coralgables.com](mailto:vgoizueta@coralgables.com), or Manuel Z. Lopez, P.E., Building Official, tel.: (305) 460-5242, email: [mlopez@coralgables.com](mailto:mlopez@coralgables.com). The Development Services Department's hours are Monday through Friday, 7:30 a.m. to 3:30 p.m.

Please govern yourself accordingly.

  
Manuel Z. Lopez, P.E.  
Building Official

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on February 24, 2016, a true and correct copy of the foregoing notice was served via certified mail, return receipt requested, by first class mail and by hand-delivery or posting at the Property.

  
Manuel Z. Lopez, P.E.  
Building Official

## 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.

ADA Assistance: The City complies with the provisions of the American with Disabilities Act. Individuals with disabilities requiring special accommodations or assistance should contact Dona M. Spain, ADA Coordinator, at (305) 460-5095, TTY/TDD (305) 460-5010, with requests for auxiliary aids or services at least three business days before the hearing in order to request such assistance.



CITY OF CORAL GABLES  
DEVELOPMENT SERVICES DEPARTMENT  
Affidavit of Posting

Complaint/Case #: 15-4614

Title of Document Posted: Construction Regulation Board Case

I, DENNIS POIN, DO HEREBY SWEAR/AFFIRM THAT  
THE AFOREMENTIONED NOTICE WAS PERSONALLY POSTED, BY ME, AT THE  
ADDRESS OF 600 BILTMORE WAY, ON 2-24-16  
AT 9:00.

DENNIS POIN  
Employee's Printed Name

Dennis Poin  
Employee's Signature

STATE OF FLORIDA )  
ss.  
COUNTY OF MIAMI-DADE )

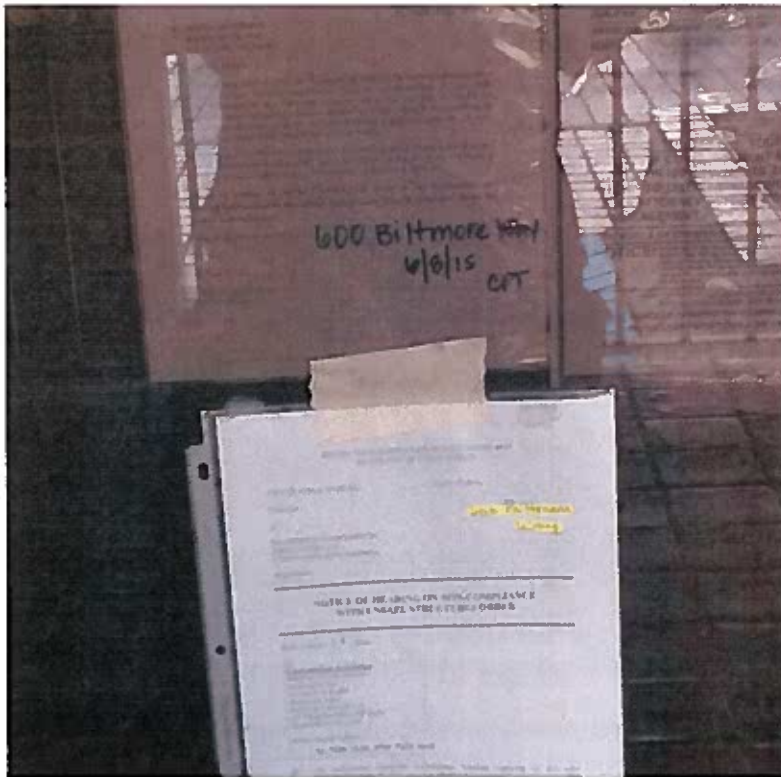
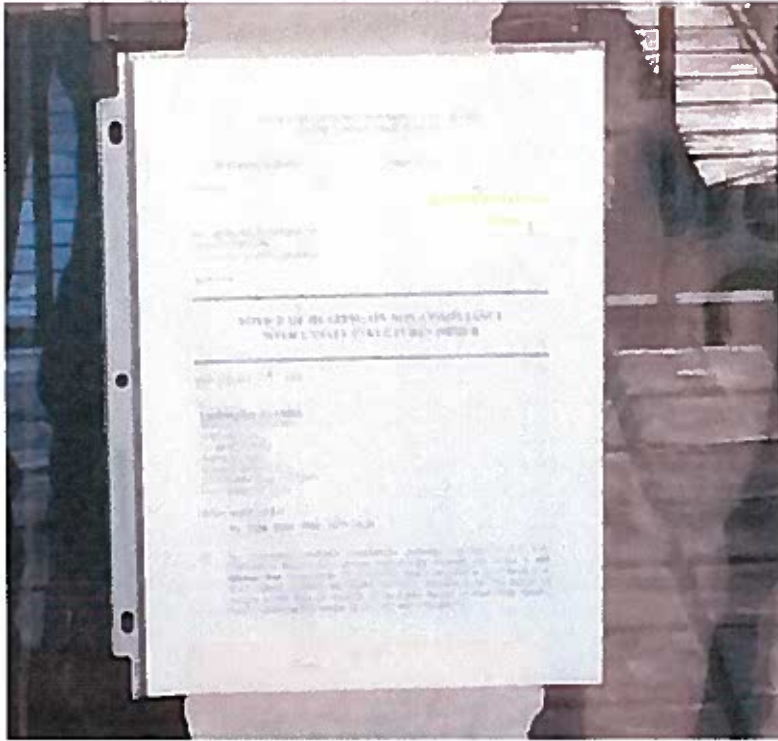
Sworn to (or affirmed) and subscribed before me this 24<sup>th</sup> day of February, in  
the year 20 16, by Dennis Poin who is personally known to  
me.

My Commission Expires:



Belkys Garcia  
Notary Public

600 Biltmore Way



This instrument prepared by and  
after recording return to:  
Belkys Garcia  
Secretary to the Construction  
Regulation Board  
Development Services Department  
City of Coral Gables  
405 Biltmore Way, 3rd Floor  
Coral Gables, FL 33134-5717

---

**BEFORE THE CONSTRUCTION REGULATION BOARD**  
**FOR THE CITY OF CORAL GABLES**

CITY OF CORAL GABLES,

Case No. 15-4614

Petitioner,

vs.

BILTMORE II CONDOMINIUM  
ASSOCIATION, INC.  
A Florida not for profit corporation  
c/o David H. Rogel  
Registered Agent  
Becker & Poliakoff, P.A.  
121 Alhambra Plaza, 10<sup>th</sup> Floor  
Coral Gables, Florida 33134

Return receipt number:

91 7108 2133 3932 7179 1962

Respondent.

**NOTICE OF ORDER DECLARING STRUCTURE UNSAFE**

This cause was brought before the Construction Regulation Board ("Board") of the City of Coral Gables ("City"), on March 14, 2016, on the Notice of Unsafe Structure Violation for Failure to Recertify and Notice of Hearing ("Notice"). The Board, having heard the arguments of the parties and having considered any evidence presented, hereby enters this Order Declaring Structure Unsafe ("Order") and finds, concludes, and orders as follows:

Findings of Fact

1. The City properly served all required notices on the owner, Biltmore II Condominium Association, Inc., and any lienholders of record for the structure located on the property at 600 Biltmore Way, Coral Gables, FL 33134-7541, and having folio number 03-4117-025-0001 (the "Structure").
2. As of the date this Notice the Structure has failed to comply with the inspection report requirement and minimum inspection procedural guidelines as issued by the Miami-Dade County Board of Rules and Appeals, required by Section 8-11 of the Miami-Dade County Code ("Report"). Therefore, the Structure is presumed and is hereby declared unsafe pursuant to



Section 105-186(j) (13) of the City Code for failure to timely comply with the maintenance and recertification requirements of the Florida Building Code or Section 8-11 of the Miami-Dade County Code.

**Order**

3. It is, therefore, ORDERED: The Owner shall take the Required Action as follows: a) the Owner is to submit within 30 days of the date of this Order to the City's Development Services Department a signed and sealed letter from a licensed engineer stating whether the common areas of the Structure are electrically recertified; b) the Owner is to provide within 90 days of the date of this Order an update to the Board on the progress of the electrical recertification, specifically the number of unit permits issued. The owner is to be present at the hearing.

4. *Request for compliance inspection.* It is the responsibility of the Owner to request an inspection of City records and of the Property, as applicable, to determine compliance with this Order and to notify the City of any compliance action taken.

5. *Payment of costs, fines, and demolition by City.* The Owner shall pay, within 7 days of the date of this Order, the City's administrative costs to date of \$600, in addition to the costs of recording this Order. If the Owner does not comply with any of the applicable deadlines above, the Building Official may immediately and without further order from this Board, order that the structure be vacated, boarded, secured, and posted (including, but not limited to, requesting the electric utility to terminate service to the Structure) to prevent further occupancy and the City may demolish the Structure. The City may sell as salvage or require the demolition contractor to dispose of the contents of the Structure. In addition, the Owner shall pay a fine of \$250 for each day the violation continues past the date set for compliance, for which the City shall have a lien against the Owner and the Property. The Board may also enter an order of demolition and assess all costs of the proceedings and demolition and other required action for which the City shall have a lien against the Owner and the Property. Until the Structure is recertified in compliance the terms of this Order, the City shall not issue any further development approvals for the Property, including, but not limited to, building permits, unless the development approval is required to comply with the terms of this Order.

6. Lien for costs and notice to subsequent purchasers. The City shall have a special assessment lien for its administrative costs, the costs of corrective action, and any fines imposed by the Board, including but not limited to, securing the Structure and demolition ("Costs"), against the real and personal property of the Owner, including the Property. The lien for Costs shall have equal dignity with a lien for taxes. In order to have this lien, the City shall record this Order and an affidavit for any additional Costs, as applicable. Once recorded in the Public Records of Miami-Dade County, Florida, a copy of this Order shall constitute notice to any subsequent purchasers, successors in interest, or assigns, and the findings herein shall be binding upon the Owner and any subsequent purchasers, successors in interest or assigns.

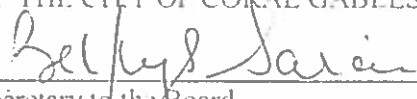
7. City's remedies are cumulative. This Order notwithstanding, the City may enforce its code by any other lawful means.

8. NOTICE: If the Respondent does not comply with the terms of this Order, the City may issue a Notice of Non-Compliance ("Notice"). The Respondent may request an administrative hearing that shall be strictly limited to determining whether the Respondent complied with the terms of this Order. Requests for a hearing 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 33134-5717, bgarcia@coralgables.com, tel: (305) 460-5229. Failure to

request an administrative hearing within seven (7) days after service of the Notice shall constitute a waiver of the Respondent's right to the hearing. The Respondent shall be liable for the reasonable costs of the administrative hearing, if the Respondent does not prevail at the hearing.

DONE AND ORDERED at the City of Coral Gables, Miami-Dade County, Florida, on this 21<sup>st</sup> day of March, 2016.

CONSTRUCTION REGULATION BOARD  
OF THE CITY OF CORAL GABLES

  
Secretary to the Board

**Notice of Deadline to Appeal**

**PURSUANT TO SECTION 105-192(b) OF THE CITY CODE, AN APPEAL OF THIS ORDER MAY BE FILED IN THE CIRCUIT COURT IN MIAMI-DADE COUNTY, FLORIDA, WITHIN THIRTY DAYS OF THE FILING OF THIS ORDER.**

This instrument prepared by and  
after recording return to:  
Belkys Garcia  
Secretary to the Construction  
Regulation Board  
Development Services Department  
City of Coral Gables  
405 Biltmore Way, 3rd Floor  
Coral Gables, FL 33134-5717

---

**BEFORE THE CONSTRUCTION REGULATION BOARD  
FOR THE CITY OF CORAL GABLES**

CITY OF CORAL GABLES,

Case No. 15-4614

Petitioner,

vs.

BILTMORE II CONDOMINIUM  
ASSOCIATION, INC.  
A Florida not for profit corporation  
c/o David H. Rogel  
Registered Agent  
Becker & Poliakoff, P.A.  
121 Alhambra Plaza, 10<sup>th</sup> Floor  
Coral Gables, Florida 33134

Return receipt number:  
91 7108 2133 3932 7179 1962

Respondent.

**NOTICE OF ORDER DECLARING STRUCTURE UNSAFE**

This cause was brought before the Construction Regulation Board ("Board") of the City of Coral Gables ("City"), on March 14, 2016, on the Notice of Unsafe Structure Violation for Failure to Recertify and Notice of Hearing ("Notice"). The Board, having heard the arguments of the parties and having considered any evidence presented, hereby enters this Order Declaring Structure Unsafe ("Order") and finds, concludes, and orders as follows:

**Findings of Fact**

1. The City properly served all required notices on the owner, Biltmore II Condominium Association, Inc., and any lienholders of record for the structure located on the property at 600 Biltmore Way, Coral Gables, FL 33134-7541, and having folio number 03-4117-025-0001 (the "Structure").
2. As of the date this Notice the Structure has failed to comply with the inspection report requirement and minimum inspection procedural guidelines as issued by the Miami-Dade County Board of Rules and Appeals, required by Section 8-11 of the Miami-Dade County Code ("Report"). Therefore, the Structure is presumed and is hereby declared unsafe pursuant to

Section 105-186(j) (13) of the City Code for failure to timely comply with the maintenance and recertification requirements of the Florida Building Code or Section 8-11 of the Miami-Dade County Code.

**Order**

3. It is, therefore, ORDERED: The Owner shall take the Required Action as follows: a) the Owner is to submit within 30 days of the date of this Order to the City's Development Services Department a signed and sealed letter from a licensed engineer stating whether the common areas of the Structure are electrically recertified; b) the Owner is to provide within 90 days of the date of this Order an update to the Board on the progress of the electrical recertification, specifically the number of unit permits issued. The owner is to be present at the hearing.

4. *Request for compliance inspection.* It is the responsibility of the Owner to request an inspection of City records and of the Property, as applicable, to determine compliance with this Order and to notify the City of any compliance action taken.

5. *Payment of costs, fines, and demolition by City.* The Owner shall pay, within 7 days of the date of this Order, the City's administrative costs to date of \$600, in addition to the costs of recording this Order. If the Owner does not comply with any of the applicable deadlines above, the Building Official may immediately and without further order from this Board, order that the structure be vacated, boarded, secured, and posted (including, but not limited to, requesting the electric utility to terminate service to the Structure) to prevent further occupancy and the City may demolish the Structure. The City may sell as salvage or require the demolition contractor to dispose of the contents of the Structure. In addition, the Owner shall pay a fine of \$250 for each day the violation continues past the date set for compliance, for which the City shall have a lien against the Owner and the Property. The Board may also enter an order of demolition and assess all costs of the proceedings and demolition and other required action for which the City shall have a lien against the Owner and the Property. Until the Structure is recertified in compliance the terms of this Order, the City shall not issue any further development approvals for the Property, including, but not limited to, building permits, unless the development approval is required to comply with the terms of this Order.

6. Lien for costs and notice to subsequent purchasers. The City shall have a special assessment lien for its administrative costs, the costs of corrective action, and any fines imposed by the Board, including but not limited to, securing the Structure and demolition ("Costs"), against the real and personal property of the Owner, including the Property. The lien for Costs shall have equal dignity with a lien for taxes. In order to have this lien, the City shall record this Order and an affidavit for any additional Costs, as applicable. Once recorded in the Public Records of Miami-Dade County, Florida, a copy of this Order shall constitute notice to any subsequent purchasers, successors in interest, or assigns, and the findings herein shall be binding upon the Owner and any subsequent purchasers, successors in interest or assigns.

7. City's remedies are cumulative. This Order notwithstanding, the City may enforce its code by any other lawful means.

8. NOTICE: If the Respondent does not comply with the terms of this Order, the City may issue a Notice of Non-Compliance ("Notice"). The Respondent may request an administrative hearing that shall be strictly limited to determining whether the Respondent complied with the terms of this Order. Requests for a hearing 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 33134-5717, bgarcia@coralgables.com, tel: (305) 460-5229. Failure to

request an administrative hearing within seven (7) days after service of the Notice shall constitute a waiver of the Respondent's right to the hearing. The Respondent shall be liable for the reasonable costs of the administrative hearing, if the Respondent does not prevail at the hearing.

DONE AND ORDERED at the City of Coral Gables, Miami-Dade County, Florida, on this 21<sup>st</sup> day of March, 2016.

CONSTRUCTION REGULATION BOARD  
OF THE CITY OF CORAL GABLES

  
Secretary of the Board

**Notice of Deadline to Appeal**

**PURSUANT TO SECTION 105-192(b) OF THE CITY CODE, AN APPEAL OF THIS ORDER MAY BE FILED IN THE CIRCUIT COURT IN MIAMI-DADE COUNTY, FLORIDA, WITHIN THIRTY DAYS OF THE FILING OF THIS ORDER.**

**BEFORE THE CONSTRUCTION REGULATION BOARD**  
**FOR THE CITY OF CORAL GABLES**

CITY OF CORAL GABLES.  
Petitioner,

Case No. 15-4614

vs.

BILTMORE II CONDOMINIUM  
ASSOCIATION, INC.  
c/o David H. Rogel  
Becker & Poliakoff, P.A.  
121 Alhambra Plaza, 10<sup>th</sup> Floor  
Coral Gables, Florida 33134

Return receipt number:

91 7108 2133 3932 7177 0103

Respondent.

**NOTICE OF UNSAFE STRUCTURE VIOLATION FOR FAILURE TO RECERTIFY  
AND NOTICE OF HEARING**

Date: April 29, 2016

Re: **600 Biltmore Way**, Coral Gables, Florida 33134-7541, and legally described as all of Block 8, of CORAL GABLES BILTMORE SECTION, according to the Plat thereof, as recorded in Plat Book 20, Page 28, of the Public Records of Miami-Dade County, Florida; and having folio number 03-4117-025-0001 ("Property").

The City of Coral Gables ("City") Building Official has inspected the records relating to the Structure in accordance with Article III, Chapter 105 of the City Code, pertaining to unsafe structures, and Section 8-11 of the Miami-Dade County Code, as applicable in the City, pertaining to existing buildings. The Structure is hereby declared unsafe by the Building Official and is presumed unsafe pursuant to Section 105-1 86(j)(13) of the City Code for failure to timely comply with the maintenance and recertification requirements of the Florida Building Code or Section 8-11 of the Miami-Dade County Code.

**Therefore, 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 May 16, 2016, at 2:00 p.m.**

You may appeal the decision of the Building Official to the Board by appearing at the hearing. 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 if someone other than an attorney will be attending the hearing on your behalf, he or she 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.

If the Required Action is not completed before the above hearing date, the Building Official may order that the structure be vacated, boarded, secured, and posted (including but not limited to, requesting the electric utility to terminate service to the Structure) to prevent further occupancy until the Required Action is completed. The Building Official may also order demolition of the Structure and the City may recover the costs incurred against the Property and the Owner of record.

If the Property owner or other interested party does not take all Required Action or prevail at the hearing, the Construction Regulation Board may impose fines not to exceed \$250 for each day the violation continues past the date set for compliance and may also enter an order of demolition and assess all costs of the proceedings, in an amount not less than \$600, and the costs of demolition and other required action, for which the City shall have a lien against the Property owner and the Property.

Please contact Virginia Goizueta, Building Services Coordinator, tel.: (305) 460-5250, email: vgoizueta@coralgables.com. The Development Services Department's hours are Monday through Friday, 7:30 a.m. to 3:30 p.m.

Please govern yourself accordingly.

  
Belkys Garcia, Secretary to the Board

#### ADA 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.**

**ADA Assistance:** The City complies with the provisions of the Americans with Disabilities Act. Individuals with disabilities requiring special accommodations or assistance should contact Dona M. Spain, ADA Coordinator, at (305) 460-5095. TTY DD (305) 460-5010, with requests for auxiliary aids or services at least three business days before the hearing in order to request such assistance.





CITY OF CORAL GABLES  
DEVELOPMENT SERVICES DEPARTMENT  
Affidavit of Posting

Complaint/Case #: 15-4614

Title of Document Posted: Construction Regulation Board Case

I, EDUARDO MARTIN, DO HEREBY SWEAR/AFFIRM THAT  
THE AFOREMENTIONED NOTICE WAS PERSONALLY POSTED, BY ME, AT THE  
ADDRESS OF 600 Biltmore Way, ON 4-29-16  
AT 8:45 am.

EDUARDO MARTIN  
Employee's Printed Name

Eduardo Martin  
Employee's Signature

STATE OF FLORIDA )  
SS.  
COUNTY OF MIAMI-DADE )

Sworn to (or affirmed) and subscribed before me this 29<sup>th</sup> day of April, in  
the year 20 16, by Eduardo Martin who is personally known to  
me.

My Commission Expires:



Belkys Garcia  
Notary Public

600 Biltmore Way

**NOTICE OF CONSTRUCTION VIOLATION FOR FAILURE TO MAINTAIN  
AND NOTICE OF HEARING**

City of Coral Gables, Florida  
Coral Gables, Florida

Case No. 160014

600 Biltmore Way  
Coral Gables, Florida 33134  
Attention: [Name]

Phone: 305-460-1100  
95 7205 2333 9132 7677 9203

**NOTICE OF CONSTRUCTION VIOLATION FOR FAILURE TO MAINTAIN  
AND NOTICE OF HEARING**

Date: April 24, 2016

Re: **600 Biltmore Way**, Coral Gables, Florida 33134, and legally described parcel of Block 5 of CORAL GABLES BILTMORE SQUARE according to the Plat thereof as recorded in Plat Book 20, Page 20, of the Public Records of Miami-Dade County, Florida, and having file number 03-01 (7422-000) ("Property").

The City of Coral Gables ("City") Building Official has requested information relating to the structure in accordance with Article III, Chapter 20 of the City Code, pursuant to a complaint received on 4/21/16 of the Miami-Dade County Code, as applicable in the City, pertaining to existing knowledge. The structure is hereby declared unsafe by the Building Official and is prohibited until repairs or removal (as required) of the City Code are taken to bring comply with the minimum code requirements of the Florida Building Code or Section 5.11 of the Miami-Dade County Code.

Therefore, this matter is set for hearing before the City's Construction Regulation Board ("Board") in the Commission Chambers, City Hall, 496 Biltmore Way, Coral Gables, Florida 33134, on May 16, 2016, at 7:00 p.m.

You shall attend the decision of the Building Official to the Board by appearing at the hearing. You have the right to be represented by an attorney and may present and question witnesses and evidence. However, certain 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 if someone other than an attorney will be attending the hearing on your behalf, he or she must provide a power of attorney from you at the time of the hearing. Requests for accommodations must be made by writing to: Debra Garcia, Secretary to the Board, at City of Coral Gables, Development Services Department, 496 Biltmore Way, 3rd Floor, Coral Gables, FL 33134.

This instrument prepared by and  
after recording return to:  
Belkys Garcia  
Secretary to the Construction  
Regulation Board  
Development Services Department  
City of Coral Gables  
405 Biltmore Way, 3rd Floor  
Coral Gables, FL 33134-5717

---

**BEFORE THE CONSTRUCTION REGULATION BOARD**  
**FOR THE CITY OF CORAL GABLES**

CITY OF CORAL GABLES,  
Petitioner,

Case No. 15-4614

vs.

BILTMORE II CONDOMINIUM  
ASSOCIATION, INC.  
A Florida not for profit corporation  
c/o David H. Rogel  
Registered Agent  
Becker & Poliakoff, P.A.  
121 Alhambra Plaza, 10<sup>th</sup> Floor  
Coral Gables, Florida 33134

Return receipt number:

91 7108 2133 3932 7177 0424

Respondent.

**NOTICE OF ORDER DECLARING STRUCTURE UNSAFE**

This cause was brought before the Construction Regulation Board ("Board") of the City of Coral Gables ("City"), on May 16, 2016, on the Notice of Unsafe Structure Violation for Failure to Recertify and Notice of Hearing ("Notice"). The Board, having heard the arguments of the parties and having considered any evidence presented, hereby enters this Order Declaring Structure Unsafe ("Order") and finds, concludes, and orders as follows:

**Findings of Fact**

1. The City properly served all required notices on the owner, BILTMORE II CONDOMINIUM ASSOCIATION, INC., and any lienholders of record for the structure located on the property at 600 Biltmore Way, Coral Gables, Florida, 33134-7541, and having folio number 03-4117-025-0001 (the "Structure").
2. As of the date this Notice the Structure has failed to comply with the inspection report requirement and minimum inspection procedural guidelines as issued by the Miami-Dade County Board of Rules and Appeals, required by Section 8-11 of the Miami-Dade County Code ("Report"). Therefore, the Structure is presumed and is hereby declared unsafe pursuant to

Section 105-186(j) (13) of the City Code for failure to timely comply with the maintenance and recertification requirements of the Florida Building Code or Section 8-11 of the Miami-Dade County Code.

**Order**

3. It is, therefore, **ORDERED**: The Owner shall take the Required Action as follows: a) the owner shall submit within 90 days of the date of this Order a signed and sealed letter from an electrical engineer certifying the common areas of the structure; b) the owner shall submit a monthly schedule identifying the number of units pending with an attached status report listing the units compliant with the required electrical permits to the City's Chief Electrical Official; c) the owner is to appear before the Board in 90 days to provide recertification status.
4. *Request for compliance inspection.* It is the responsibility of the Owner to request an inspection of City records and of the Property, as applicable, to determine compliance with this Order and to notify the City of any compliance action taken.
5. *Payment of costs, fines, and demolition by City.* The Owner shall pay, within 7 days of the date of this Order, the City's administrative costs to date of \$600, in addition to the costs of recording this Order. If the Owner does not comply with any of the applicable deadlines above, the Building Official may immediately and without further order from this Board, order that the structure be vacated, boarded, secured, and posted (including, but not limited to, requesting the electric utility to terminate service to the Structure) to prevent further occupancy and the City may demolish the Structure. The City may sell as salvage or require the demolition contractor to dispose of the contents of the Structure. In addition, the Owner shall pay a fine of \$250 for each day the violation continues past the date set for compliance, for which the City shall have a lien against the Owner and the Property. The Board may also enter an order of demolition and assess all costs of the proceedings and demolition and other required action for which the City shall have a lien against the Owner and the Property. Until the Structure is recertified in compliance the terms of this Order, the City shall not issue any further development approvals for the Property, including, but not limited to, building permits, unless the development approval is required to comply with the terms of this Order.
6. *Lien for costs and notice to subsequent purchasers.* The City shall have a special assessment lien for its administrative costs, the costs of corrective action, and any fines imposed by the Board, including but not limited to, securing the Structure and demolition ("Costs"), against the real and personal property of the Owner, including the Property. The lien for Costs shall have equal dignity with a lien for taxes. In order to have this lien, the City shall record this Order and an affidavit for any additional Costs, as applicable. Once recorded in the Public Records of Miami-Dade County, Florida, a copy of this Order shall constitute notice to any subsequent purchasers, successors in interest, or assigns, and the findings herein shall be binding upon the Owner and any subsequent purchasers, successors in interest or assigns.
7. City's remedies are cumulative. This Order notwithstanding, the City may enforce its code by any other lawful means.
8. **NOTICE:** If the Respondent does not comply with the terms of this Order, the City may issue a Notice of Non-Compliance ("Notice"). The Respondent may request an administrative hearing that shall be strictly limited to determining whether the Respondent complied with the terms of this Order. Requests for a hearing 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 33134-5717, bgarcia@coralgables.com, tel: (305) 460-5229. Failure to request an administrative hearing within seven (7) days after service of the Notice shall

constitute a waiver of the Respondent's right to the hearing. The Respondent shall be liable for the reasonable costs of the administrative hearing, if the Respondent does not prevail at the hearing.

DONE AND ORDERED at the City of Coral Gables, Miami-Dade County, Florida, on this 17~~th~~ day of May, 2016.

CONSTRUCTION REGULATION BOARD  
OF THE CITY OF CORAL GABLES

  
Secretary to the Board

**Notice of Deadline to Appeal**

**PURSUANT TO SECTION 105-192(b) OF THE CITY CODE, AN APPEAL OF THIS ORDER MAY BE FILED IN THE CIRCUIT COURT IN MIAMI-DADE COUNTY, FLORIDA, WITHIN THIRTY DAYS OF THE FILING OF THIS ORDER.**

**BEFORE THE CONSTRUCTION REGULATION BOARD**  
**FOR THE CITY OF CORAL GABLES**

CITY OF CORAL GABLES.  
Petitioner,

Case No. 15-4614

vs.

BILTMORE II CONDOMINIUM  
ASSOCIATION, INC.  
A Florida not for profit corporation  
c/o David H. Rogel  
Registered Agent  
Becker & Poliakoff, P.A.  
121 Alhambra Plaza, 10<sup>th</sup> Floor  
Coral Gables, Florida 33134

Return receipt number:

91 7108 2133 3932 7314 2465

Respondent.

**NOTICE OF UNSAFE STRUCTURE VIOLATION FOR FAILURE TO RECERTIFY  
AND NOTICE OF HEARING**

Date: July 28, 2016

Re: **600 Biltmore Way**, Coral Gables, Florida 33134-7541 and legally described as all of Block 8, of CORAL GABLES BILTMORE SECTION, according to the Plat thereof, as recorded in Plat Book 20, Page 28, of the Public Records of Miami-Dade County, Florida; and having folio number 03-4117-025-0001 ("Property").

The City of Coral Gables ("City") Building Official has inspected the records relating to the Structure in accordance with Article III, Chapter 105 of the City Code, pertaining to unsafe structures, and Section 8-11 of the Miami-Dade County Code, as applicable in the City, pertaining to existing buildings. The Structure is hereby declared unsafe by the Building Official and is presumed unsafe pursuant to Section 105-I 86(j)(13) of the City Code for failure to timely comply with the maintenance and recertification requirements of the Florida Building Code or Section 8-11 of the Miami-Dade County Code.

**Therefore, 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 August 8, 2016, at 2:00 p.m.**

You may appeal the decision of the Building Official to the Board by appearing at the hearing. 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 if someone other than an attorney will be attending the hearing on your behalf, he or she 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.

If the Required Action is not completed before the above hearing date, the Building Official may order that the structure be vacated, boarded, secured, and posted (including but not limited to, requesting the electric utility to terminate service to the Structure) to prevent further occupancy until the Required Action is completed. The Building Official may also order demolition of the Structure and the City may recover the costs incurred against the Property and the Owner of record.

If the Property owner or other interested party does not take all Required Action or prevail at the hearing, the Construction Regulation Board may impose fines not to exceed \$250 for each day the violation continues past the date set for compliance and may also enter an order of demolition and assess all costs of the proceedings, in an amount not less than \$600, and the costs of demolition and other required action, for which the City shall have a lien against the Property owner and the Property.

Please contact Virginia Goizueta, Building Services Coordinator, tel.: (305) 460-5250, email: vgoizueta@coralgables.com. The Development Services Department's hours are Monday through Friday, 7:30 a.m. to 3:30 p.m.

Please govern yourself accordingly.

  
Belkys Garcia, Secretary to the Board

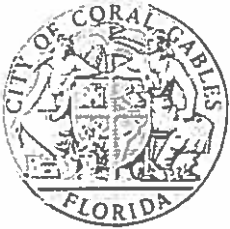
#### ADA NOTICES

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.**

**ADA Assistance:** The City complies with the provisions of the Americans with Disabilities Act. Individuals with disabilities requiring special accommodations or assistance should contact Dona M. Spain, ADA Coordinator, at (305) 460-5095, TTY/DD (305) 460-5010, with requests for auxiliary aids or services at least three business days before the hearing in order to request such assistance.





CITY OF CORAL GABLES  
DEVELOPMENT SERVICES DEPARTMENT  
Affidavit of Posting

Complaint Case #: 15-4614

Title of Document Posted: Construction Regulation Board Case

I, EDUARDO MARTIN, DO HEREBY SWEAR/AFFIRM THAT  
THE AFOREMENTIONED NOTICE WAS PERSONALLY POSTED, BY ME, AT THE  
ADDRESS OF 600 Baltimore Way, ON July 28, 2016  
AT 9:00 a.m.

EDUARDO MARTIN  
Employee's Printed Name

Eduardo Martin  
Employee's Signature

STATE OF FLORIDA )  
ss.  
COUNTY OF MIAMI-DADE )

Sworn to (or affirmed) and subscribed before me this 28<sup>th</sup> day of July, in  
the year 20 16, by Eduardo Martin who is personally known to  
me.

My Commission Expires:

Belkys Garcia  
Notary Public





This instrument prepared by and  
after recording return to:  
Belkys Garcia  
Secretary to the Construction  
Regulation Board  
Development Services Department  
City of Coral Gables  
405 Biltmore Way, 3rd Floor  
Coral Gables, FL 33134-5717

---

**BEFORE THE CONSTRUCTION REGULATION BOARD**  
**FOR THE CITY OF CORAL GABLES**

CITY OF CORAL GABLES,  
Petitioner.

Case No. 15-4614

vs.

BILTMORE II CONDOMINIUM  
ASSOCIATION, INC.  
A Florida not for profit corporation  
c/o David H. Rogel  
Registered Agent  
Becker & Poliakoff, P.A.  
121 Alhambra Plaza, 10<sup>th</sup> Floor  
Coral Gables, Florida 33134

Return receipt number:

91 7108 2133 3932 7314 2144

Respondent.

**NOTICE OF ORDER DECLARING STRUCTURE UNSAFE**

This cause was brought before the Construction Regulation Board ("Board") of the City of Coral Gables ("City"), on August 8, 2016, on the Notice of Unsafe Structure Violation for Failure to Recertify and Notice of Hearing ("Notice"). The Board, having heard the arguments of the parties and having considered any evidence presented, hereby enters this Order Declaring Structure Unsafe ("Order") and finds, concludes, and orders as follows:

**Findings of Fact**

1. The City properly served all required notices on the owner, BILTMORE II CONDOMINIUM ASSOCIATION, INC., and any lienholders of record for the structure located on the property at **600 Biltmore Way**, Coral Gables, Florida, 33134-7541, and having folio number 03-4117-025-0001 (the "Structure").
2. As of the date this Notice the Structure has failed to comply with the inspection report requirement and minimum inspection procedural guidelines as issued by the Miami-Dade County Board of Rules and Appeals, required by Section 8-11 of the Miami-Dade County Code ("Report"). Therefore, the Structure is presumed and is hereby declared unsafe pursuant to

Section 105-186(j) (13) of the City Code for failure to timely comply with the maintenance and recertification requirements of the Florida Building Code or Section 8-11 of the Miami-Dade County Code.

### Order

3. It is, therefore, **ORDERED**: The Owner shall take the Required Action as follows: a) the owner shall recertify the property within 180 days of the date of this Order; to include permits and inspections, if applicable, and submittal of Recertification Report; b) if all requirements are not completed within the 180 days the owner shall pay a daily fine of \$250 for each day the violation continues.
4. *Request for compliance inspection.* It is the responsibility of the Owner to request an inspection of City records and of the Property, as applicable, to determine compliance with this Order and to notify the City of any compliance action taken.
5. *Payment of costs, fines, and demolition by City.* The Owner shall pay, within seven (7) days of the date of this Order, the City's administrative costs to date of \$600, in addition to the costs of recording this Order. If the Owner does not comply with any of the applicable deadlines above, the Building Official may immediately and without further order from this Board, order that the structure be vacated, boarded, secured, and posted (including, but not limited to, requesting the electric utility to terminate service to the Structure) to prevent further occupancy and the City may demolish the Structure. The City may sell as salvage or require the demolition contractor to dispose of the contents of the Structure. In addition, the Owner shall pay a fine of \$250 for each day the violation continues past the date set for compliance, for which the City shall have a lien against the Owner and the Property. The Board may also enter an order of demolition and assess all costs of the proceedings and demolition and other required action for which the City shall have a lien against the Owner and the Property. Until the Structure is recertified in compliance the terms of this Order, the City shall not issue any further development approvals for the Property, including, but not limited to, building permits, unless the development approval is required to comply with the terms of this Order.
6. Lien for costs and notice to subsequent purchasers. The City shall have a special assessment lien for its administrative costs, the costs of corrective action, and any fines imposed by the Board, including but not limited to, securing the Structure and demolition ("Costs"), against the real and personal property of the Owner, including the Property. The lien for Costs shall have equal dignity with a lien for taxes. In order to have this lien, the City shall record this Order and an affidavit for any additional Costs, as applicable. Once recorded in the Public Records of Miami-Dade County, Florida, a copy of this Order shall constitute notice to any subsequent purchasers, successors in interest, or assigns, and the findings herein shall be binding upon the Owner and any subsequent purchasers, successors in interest or assigns.
7. City's remedies are cumulative. This Order notwithstanding, the City may enforce its code by any other lawful means.
8. NOTICE: If the Respondent does not comply with the terms of this Order, the City may issue a Notice of Non-Compliance ("Notice"). The Respondent may request an administrative hearing that shall be strictly limited to determining whether the Respondent complied with the terms of this Order. Requests for a hearing 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 33134-5717, bgarcia@coralgables.com, tel: (305) 460-5229. Failure to request an administrative hearing within seven (7) days after service of the Notice shall

constitute a waiver of the Respondent's right to the hearing. The Respondent shall be liable for the reasonable costs of the administrative hearing, if the Respondent does not prevail at the hearing.

DONE AND ORDERED at the City of Coral Gables, Miami-Dade County, Florida, on this 9<sup>th</sup> day of August, 2016.

CONSTRUCTION REGULATION BOARD  
OF THE CITY OF CORAL GABLES

  
Secretary to the Board

**Notice of Deadline to Appeal**

**PURSUANT TO SECTION 105-192(b) OF THE CITY CODE, AN APPEAL OF THIS ORDER MAY BE FILED IN THE CIRCUIT COURT IN MIAMI-DADE COUNTY, FLORIDA, WITHIN THIRTY DAYS OF THE FILING OF THIS ORDER.**

This instrument prepared by and  
after recording return to:  
Belkys Garcia  
Secretary to the Construction  
Regulation Board  
Development Services Department  
City of Coral Gables  
405 Biltmore Way, 3rd Floor  
Coral Gables, FL 33134-5717

---

**BEFORE THE CONSTRUCTION REGULATION BOARD**  
**FOR THE CITY OF CORAL GABLES**

CITY OF CORAL GABLES,  
Petitioner,

Case No. 15-4614

vs.

BILTMORE II CONDOMINIUM  
ASSOCIATION, INC.  
A Florida not for profit corporation  
c/o David H. Rogel  
Registered Agent  
Becker & Poliakoff, P.A.  
121 Alhambra Plaza, 10<sup>th</sup> Floor  
Coral Gables, Florida 33134

Return receipt number:

91 7108 2133 3932 7314 2144

Respondent.

**NOTICE OF ORDER DECLARING STRUCTURE UNSAFE**

This cause was brought before the Construction Regulation Board ("Board") of the City of Coral Gables ("City"), on August 8, 2016, on the Notice of Unsafe Structure Violation for Failure to Recertify and Notice of Hearing ("Notice"). The Board, having heard the arguments of the parties and having considered any evidence presented, hereby enters this Order Declaring Structure Unsafe ("Order") and finds, concludes, and orders as follows:

**Findings of Fact**

1. The City properly served all required notices on the owner, BILTMORE II CONDOMINIUM ASSOCIATION, INC., and any lienholders of record for the structure located on the property at 600 Biltmore Way, Coral Gables, Florida, 33134-7541, and having folio number 03-4117-025-0001 (the "Structure").
2. As of the date this Notice the Structure has failed to comply with the inspection report requirement and minimum inspection procedural guidelines as issued by the Miami-Dade County Board of Rules and Appeals, required by Section 8-11 of the Miami-Dade County Code ("Report"). Therefore, the Structure is presumed and is hereby declared unsafe pursuant to

Section 105-186(j) (13) of the City Code for failure to timely comply with the maintenance and recertification requirements of the Florida Building Code or Section 8-11 of the Miami-Dade County Code.

#### Order

3. It is, therefore, **ORDERED**: The Owner shall take the Required Action as follows: a) the owner shall recertify the property within 180 days of the date of this Order; to include permits and inspections, if applicable, and submittal of Recertification Report; b) if all requirements are not completed within the 180 days the owner shall pay a daily fine of \$250 for each day the violation continues.

4. *Request for compliance inspection.* It is the responsibility of the Owner to request an inspection of City records and of the Property, as applicable, to determine compliance with this Order and to notify the City of any compliance action taken.

5. *Payment of costs, fines, and demolition by City.* The Owner shall pay, within seven (7) days of the date of this Order, the City's administrative costs to date of \$600, in addition to the costs of recording this Order. If the Owner does not comply with any of the applicable deadlines above, the Building Official may immediately and without further order from this Board, order that the structure be vacated, boarded, secured, and posted (including, but not limited to, requesting the electric utility to terminate service to the Structure) to prevent further occupancy and the City may demolish the Structure. The City may sell as salvage or require the demolition contractor to dispose of the contents of the Structure. In addition, the Owner shall pay a fine of \$250 for each day the violation continues past the date set for compliance, for which the City shall have a lien against the Owner and the Property. The Board may also enter an order of demolition and assess all costs of the proceedings and demolition and other required action for which the City shall have a lien against the Owner and the Property. Until the Structure is recertified in compliance the terms of this Order, the City shall not issue any further development approvals for the Property, including, but not limited to, building permits, unless the development approval is required to comply with the terms of this Order.

6. *Lien for costs and notice to subsequent purchasers.* The City shall have a special assessment lien for its administrative costs, the costs of corrective action, and any fines imposed by the Board, including but not limited to, securing the Structure and demolition ("Costs"), against the real and personal property of the Owner, including the Property. The lien for Costs shall have equal dignity with a lien for taxes. In order to have this lien, the City shall record this Order and an affidavit for any additional Costs, as applicable. Once recorded in the Public Records of Miami-Dade County, Florida, a copy of this Order shall constitute notice to any subsequent purchasers, successors in interest, or assigns, and the findings herein shall be binding upon the Owner and any subsequent purchasers, successors in interest or assigns.

7. *City's remedies are cumulative.* This Order notwithstanding, the City may enforce its code by any other lawful means.

8. **NOTICE:** If the Respondent does not comply with the terms of this Order, the City may issue a Notice of Non-Compliance ("Notice"). The Respondent may request an administrative hearing that shall be strictly limited to determining whether the Respondent complied with the terms of this Order. Requests for a hearing 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 33134-5717, bgarcia@coralgables.com, tel: (305) 460-5229. Failure to request an administrative hearing within seven (7) days after service of the Notice shall

constitute a waiver of the Respondent's right to the hearing. The Respondent shall be liable for the reasonable costs of the administrative hearing, if the Respondent does not prevail at the hearing.

DONE AND ORDERED at the City of Coral Gables, Miami-Dade County, Florida, on this 9<sup>th</sup> day of August, 2016.

CONSTRUCTION REGULATION BOARD  
OF THE CITY OF CORAL GABLES

  
Secretary to the Board

**Notice of Deadline to Appeal**

**PURSUANT TO SECTION 105-192(b) OF THE CITY CODE, AN APPEAL OF THIS ORDER MAY BE FILED IN THE CIRCUIT COURT IN MIAMI-DADE COUNTY, FLORIDA, WITHIN THIRTY DAYS OF THE FILING OF THIS ORDER.**



**BEFORE THE CONSTRUCTION REGULATION BOARD**  
**FOR THE CITY OF CORAL GABLES**

CITY OF CORAL GABLES,  
Petitioner,

Case No. 15-4614

vs.

BILTMORE II CONDOMINIUM  
ASSOCIATION, INC.  
A Florida not for profit corporation  
c/o David H. Rogel  
Registered Agent  
Becker & Poliakoff, P.A.  
121 Alhambra Plaza, 10<sup>th</sup> Floor  
Coral Gables, Florida 33134

Return receipt number:

91 7108 2133 3932 7093 3677

Respondent.

**NOTICE OF UNSAFE STRUCTURE VIOLATION FOR FAILURE TO RECERTIFY  
AND NOTICE OF HEARING**

Date: December 20, 2016

Re: **600 Biltmore Way**, Coral Gables, Florida 33134-7541 and legally described as all of Block 8, of CORAL GABLES BILTMORE SECTION, according to the Plat thereof, as recorded in Plat Book 20, Page 28, of the Public Records of Miami-Dade County, Florida; and having folio number 03-4117-025-0001 ("Property").

The City of Coral Gables ("City") Building Official has inspected the records relating to the Structure in accordance with Article III, Chapter 105 of the City Code, pertaining to unsafe structures, and Section 8-11 of the Miami-Dade County Code, as applicable in the City, pertaining to existing buildings. The Structure is hereby declared unsafe by the Building Official and is presumed unsafe pursuant to Section 105-1 86(j)(13) of the City Code for failure to timely comply with the maintenance and recertification requirements of the Florida Building Code or Section 8-11 of the Miami-Dade County Code.

**Therefore, 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 January 9, 2017, at 2:00 p.m.**


You may appeal the decision of the Building Official to the Board by appearing at the hearing. 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 if someone other than an attorney will be attending the hearing on your behalf, he or she 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 the Required Action is not completed before the above hearing date, the Building Official may order that the structure be vacated, boarded, secured, and posted (including but not limited to, requesting the electric utility to terminate service to the Structure) to prevent further occupancy until the Required Action is completed. The Building Official may also order demolition of the Structure and the City may recover the costs incurred against the Property and the Owner of record.

If the Property owner or other interested party does not take all Required Action or prevail at the hearing, the Construction Regulation Board may impose fines not to exceed \$250 for each day the violation continues past the date set for compliance and may also enter an order of demolition and assess all costs of the proceedings, in an amount not less than \$600, and the costs of demolition and other required action, for which the City shall have a lien against the Property owner and the Property.

Please govern yourself accordingly.



Bekys Garcia, Secretary to the Board

#### ADA 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.

Presentations made to this Board are subject to the City's False Claims Ordinance, Chapter 39 of the City of Coral Gables Code.

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.



CITY OF CORAL GABLES  
DEVELOPMENT SERVICES DEPARTMENT  
Affidavit of Posting

Complaint Case #: 15-4614

Title of Document Posted: Construction Regulation Board Case

I, JOSE PAZ, DO HEREBY SWEAR/AFFIRM THAT  
THE AFOREMENTIONED NOTICE WAS PERSONALLY POSTED, BY ME, AT THE  
ADDRESS OF 600 Biltmore Way, ON 12-20-16  
AT 9:25am.

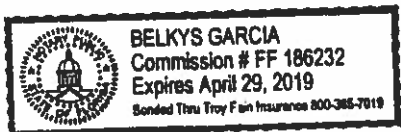
JOSE PAZ  
Employee's Printed Name

[Signature]  
Employee's Signature

STATE OF FLORIDA )  
SS.  
COUNTY OF MIAMI-DADE )

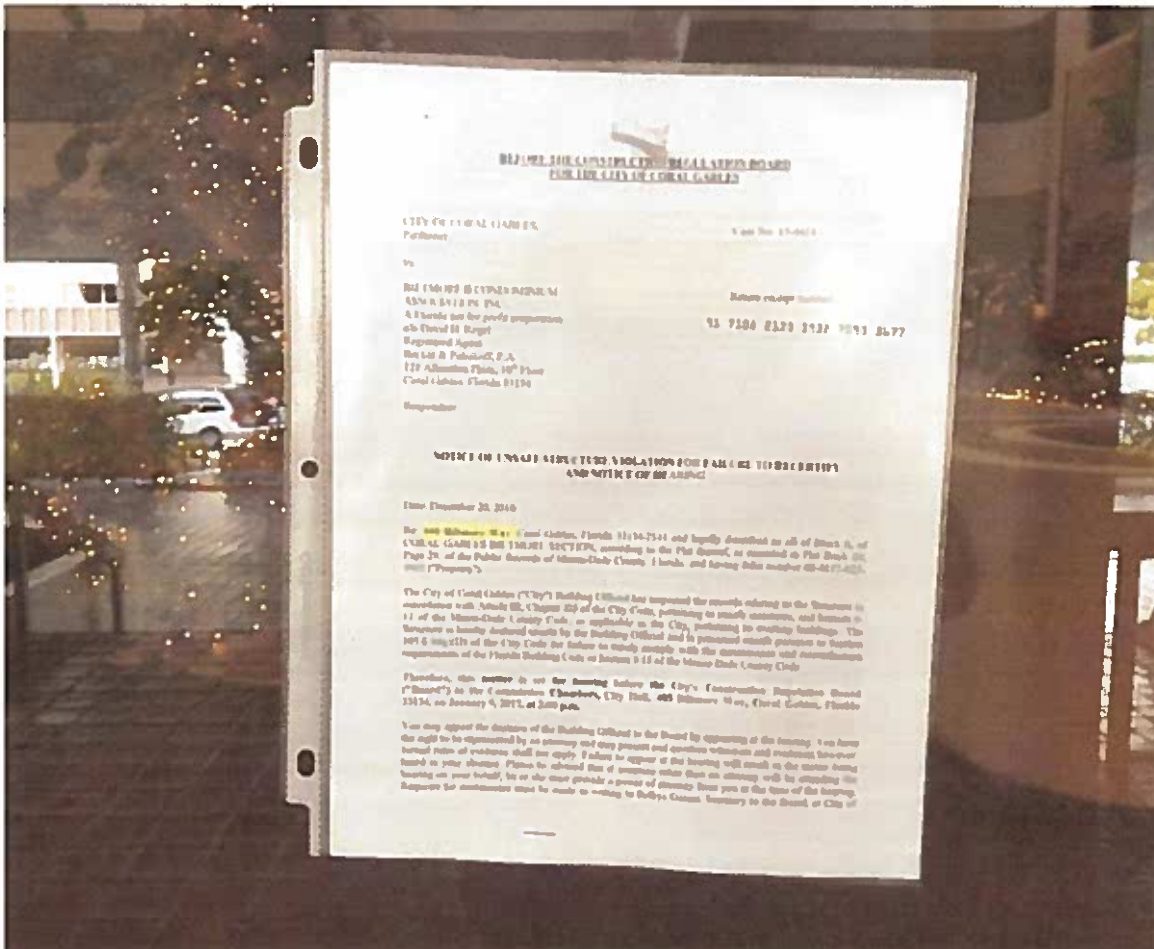
Sworn to (or affirmed) and subscribed before me this 20<sup>th</sup> day of December in  
the year 20 16, by Jose Paz who is personally known to  
me.

My Commission Expires:



Belkys Garcia  
Notary Public

600 Biltmore Way



DEPARTMENT OF COMMUNITY DEVELOPMENT  
CITY OF CORAL GABLES

CITY OF CORAL GABLES  
Permitted

Case No. 17-0014

vs.

RE: 600 BILTMORE WAY  
600 BILTMORE WAY  
A 1.5-acre lot for public purposes  
aka Parcel ID: 01001  
Registered Agent  
Mr. Lee B. Peltz, P.A.  
111 Alhambra Plaza, 10th Floor  
Coral Gables, Florida 33134

Address change notice

31 7100 0320 2122 7093 0677

Proprietor

NOTICE OF VARIANCE HEARING  
AND NOTICE OF HEARING

Date: December 20, 2016

Re: 600 Biltmore Way, Coral Gables, Florida 33134-2122 and legally described as all of Block 6, of CORAL GABLES SUBDIVISION, INC. ("CGS"), according to the Plat Record, as recorded in Plat Book 20, Page 26, of the Public Records of Miami-Dade County, Florida, and having been accepted by the Board of Adjustment of the City of Coral Gables.

The City of Coral Gables ("City") Building Official has imposed the variance relating to the Structure in accordance with Article III, Chapter 22 of the City Code, pertaining to special structures, and Article 11 of the Miami-Dade County Code, as applicable to the City, pertaining to existing buildings. The Structure is hereby declared unsafe by the Building Official and is proposed to be removed or repaired in accordance with the City Code for failure to comply with the minimum and maximum requirements of the Florida Building Code or Section 111 of the Miami-Dade County Code.

Therefore, the matter is set for hearing before the City's Construction Regulation Board ("Board") on the 17th day of December, 2016, at 10:00 AM, City Hall, 600 Biltmore Way, Coral Gables, Florida 33134, on January 9, 2017, at 10:00 AM.

You may appear at the hearing of the Building Official to the Board by appearing at the hearing. You have the right to be represented by an attorney and may present and examine witnesses and evidence. However, notice of appearance shall not apply if you do not appear at the hearing with a sworn affidavit filed in your absence. Please be advised that if someone other than an attorney will be attending the hearing on your behalf, he or she must provide a power of attorney from you at the time of the hearing. Requests for continuance must be made in writing to Building Official Secretary to the Board, at City of

This instrument prepared by and  
after recording return to:  
Belkys Garcia  
Secretary to the Construction  
Regulation Board  
Development Services Department  
City of Coral Gables  
405 Biltmore Way, 3rd Floor  
Coral Gables, FL 33134-5717

---

**BEFORE THE CONSTRUCTION REGULATION BOARD**  
**FOR THE CITY OF CORAL GABLES**

CITY OF CORAL GABLES,  
Petitioner,

Case No. 15-4614

vs.

BILTMORE II CONDOMINIUM  
ASSOCIATION, INC.  
A Florida not for profit corporation  
c/o David H. Rogel  
Registered Agent  
Becker & Poliakoff, P.A.  
121 Alhambra Plaza, 10<sup>th</sup> Floor  
Coral Gables, Florida 33134

Return receipt number:

91 7108 2133 3932 7093 3769

Respondent.

**NOTICE OF ORDER DECLARING STRUCTURE UNSAFE**

This cause was brought before the Construction Regulation Board ("Board") of the City of Coral Gables ("City"), on January 9, 2017, on the Notice of Unsafe Structure Violation for Failure to Recertify and Notice of Hearing ("Notice"). The Board, having heard the arguments of the parties and having considered any evidence presented, hereby enters this Order Declaring Structure Unsafe ("Order") and finds, concludes, and orders as follows:

**Findings of Fact**

1. The City properly served all required notices on the owner, BILTMORE II CONDOMINIUM ASSOCIATION, INC., and any lienholders of record for the structure located on the property at **600 Biltmore Way**, Coral Gables, Florida, 33134-7541, and having folio number 03-4117-025-0001 (the "Structure").
2. As of the date this Notice the Structure has failed to comply with the inspection report requirement and minimum inspection procedural guidelines as issued by the Miami-Dade County Board of Rules and Appeals, required by Section 8-11 of the Miami-Dade County Code ("Report"). Therefore, the Structure is presumed and is hereby declared unsafe pursuant to

Section 105-186(j) (13) of the City Code for failure to timely comply with the maintenance and recertification requirements of the Florida Building Code or Section 8-11 of the Miami-Dade County Code.

**Order**

3. It is, therefore, **ORDERED**: The Owner shall take the Required Action as follows: a) the owner shall appear at the March 13, 2017 Board hearing with a proposed solution to recertify the structure; b) if the proposal is not agreed upon by the Board members the owner shall pay a daily fine of \$250 for each day the violation continues commencing March 14, 2017.

4. *Request for compliance inspection.* It is the responsibility of the Owner to request an inspection of City records and of the Property, as applicable, to determine compliance with this Order and to notify the City of any compliance action taken.

5. *Payment of costs, fines, and demolition by City.* The Owner shall pay, within seven (7) days of the date of this Order, the City's administrative costs to date of \$600, in addition to the costs of recording this Order. If the Owner does not comply with any of the applicable deadlines above, the Building Official may immediately and without further order from this Board, order that the structure be vacated, boarded, secured, and posted (including, but not limited to, requesting the electric utility to terminate service to the Structure) to prevent further occupancy and the City may demolish the Structure. The City may sell as salvage or require the demolition contractor to dispose of the contents of the Structure. In addition, the Owner shall pay a fine of \$250 for each day the violation continues past the date set for compliance, for which the City shall have a lien against the Owner and the Property. The Board may also enter an order of demolition and assess all costs of the proceedings and demolition and other required action for which the City shall have a lien against the Owner and the Property. Until the Structure is recertified in compliance the terms of this Order, the City shall not issue any further development approvals for the Property, including, but not limited to, building permits, unless the development approval is required to comply with the terms of this Order.

6. *Lien for costs and notice to subsequent purchasers.* The City shall have a special assessment lien for its administrative costs, the costs of corrective action, and any fines imposed by the Board, including but not limited to, securing the Structure and demolition ("Costs"), against the real and personal property of the Owner, including the Property. The lien for Costs shall have equal dignity with a lien for taxes. In order to have this lien, the City shall record this Order and an affidavit for any additional Costs, as applicable. Once recorded in the Public Records of Miami-Dade County, Florida, a copy of this Order shall constitute notice to any subsequent purchasers, successors in interest, or assigns, and the findings herein shall be binding upon the Owner and any subsequent purchasers, successors in interest or assigns.

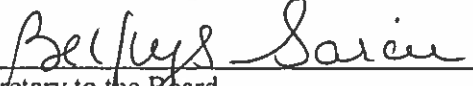
7. *City's remedies are cumulative.* This Order notwithstanding, the City may enforce its code by any other lawful means.

8. **NOTICE:** If the Respondent does not comply with the terms of this Order, the City may issue a Notice of Non-Compliance ("Notice"). The Respondent may request an administrative hearing that shall be strictly limited to determining whether the Respondent complied with the terms of this Order. Requests for a hearing 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 33134-5717, bgarcia@coralgables.com, tel: (305) 460-5229. Failure to request an administrative hearing within seven (7) days after service of the Notice shall constitute a waiver of the Respondent's right to the hearing. The Respondent shall be liable for

the reasonable costs of the administrative hearing, if the Respondent does not prevail at the hearing.

DONE AND ORDERED at the City of Coral Gables, Miami-Dade County, Florida, on this 11<sup>th</sup> day of January, 2017.

CONSTRUCTION REGULATION BOARD  
OF THE CITY OF CORAL GABLES

  
Secretary to the Board

**Notice of Deadline to Appeal**

**PURSUANT TO SECTION 105-192(b) OF THE CITY CODE, AN APPEAL OF THIS ORDER MAY BE FILED IN THE CIRCUIT COURT IN MIAMI-DADE COUNTY, FLORIDA, WITHIN THIRTY DAYS OF THE FILING OF THIS ORDER.**

This instrument prepared by and  
after recording return to:  
Belkys Garcia  
Secretary to the Construction  
Regulation Board  
Development Services Department  
City of Coral Gables  
405 Biltmore Way, 3rd Floor  
Coral Gables, FL 33134-5717

**BEFORE THE CONSTRUCTION REGULATION BOARD**  
**FOR THE CITY OF CORAL GABLES**

CITY OF CORAL GABLES,  
Petitioner,

Case No. 15-4614

vs.

BILTMORE II CONDOMINIUM  
ASSOCIATION, INC.  
A Florida not for profit corporation  
c/o David H. Rogel  
Registered Agent  
Becker & Poliakoff, P.A.  
121 Alhambra Plaza, 10<sup>th</sup> Floor  
Coral Gables, Florida 33134

Return receipt number:

91 7108 2133 3932 7093 3769

Respondent.

**NOTICE OF ORDER DECLARING STRUCTURE UNSAFE**

This cause was brought before the Construction Regulation Board ("Board") of the City of Coral Gables ("City"), on January 9, 2017, on the Notice of Unsafe Structure Violation for Failure to Recertify and Notice of Hearing ("Notice"). The Board, having heard the arguments of the parties and having considered any evidence presented, hereby enters this Order Declaring Structure Unsafe ("Order") and finds, concludes, and orders as follows:

**Findings of Fact**

1. The City properly served all required notices on the owner, BILTMORE II CONDOMINIUM ASSOCIATION, INC., and any lienholders of record for the structure located on the property at 600 Biltmore Way, Coral Gables, Florida, 33134-7541, and having folio number 03-4117-025-0001 (the "Structure").
2. As of the date this Notice the Structure has failed to comply with the inspection report requirement and minimum inspection procedural guidelines as issued by the Miami-Dade County Board of Rules and Appeals, required by Section 8-11 of the Miami-Dade County Code ("Report"). Therefore, the Structure is presumed and is hereby declared unsafe pursuant to



Section 105-186(j) (13) of the City Code for failure to timely comply with the maintenance and recertification requirements of the Florida Building Code or Section 8-11 of the Miami-Dade County Code.

**Order**

3. It is, therefore, **ORDERED**: The Owner shall take the Required Action as follows: a) the owner shall appear at the March 13, 2017 Board hearing with a proposed solution to recertify the structure; b) if the proposal is not agreed upon by the Board members the owner shall pay a daily fine of \$250 for each day the violation continues commencing March 14, 2017.

4. *Request for compliance inspection.* It is the responsibility of the Owner to request an inspection of City records and of the Property, as applicable, to determine compliance with this Order and to notify the City of any compliance action taken.

5. *Payment of costs, fines, and demolition by City.* The Owner shall pay, within seven (7) days of the date of this Order, the City's administrative costs to date of \$600, in addition to the costs of recording this Order. If the Owner does not comply with any of the applicable deadlines above, the Building Official may immediately and without further order from this Board, order that the structure be vacated, boarded, secured, and posted (including, but not limited to, requesting the electric utility to terminate service to the Structure) to prevent further occupancy and the City may demolish the Structure. The City may sell as salvage or require the demolition contractor to dispose of the contents of the Structure. In addition, the Owner shall pay a fine of \$250 for each day the violation continues past the date set for compliance, for which the City shall have a lien against the Owner and the Property. The Board may also enter an order of demolition and assess all costs of the proceedings and demolition and other required action for which the City shall have a lien against the Owner and the Property. Until the Structure is recertified in compliance the terms of this Order, the City shall not issue any further development approvals for the Property, including, but not limited to, building permits, unless the development approval is required to comply with the terms of this Order.

6. *Lien for costs and notice to subsequent purchasers.* The City shall have a special assessment lien for its administrative costs, the costs of corrective action, and any fines imposed by the Board, including but not limited to, securing the Structure and demolition ("Costs"), against the real and personal property of the Owner, including the Property. The lien for Costs shall have equal dignity with a lien for taxes. In order to have this lien, the City shall record this Order and an affidavit for any additional Costs, as applicable. Once recorded in the Public Records of Miami-Dade County, Florida, a copy of this Order shall constitute notice to any subsequent purchasers, successors in interest, or assigns, and the findings herein shall be binding upon the Owner and any subsequent purchasers, successors in interest or assigns.

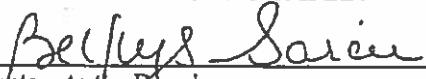
7. *City's remedies are cumulative.* This Order notwithstanding, the City may enforce its code by any other lawful means.

8. **NOTICE:** If the Respondent does not comply with the terms of this Order, the City may issue a Notice of Non-Compliance ("Notice"). The Respondent may request an administrative hearing that shall be strictly limited to determining whether the Respondent complied with the terms of this Order. Requests for a hearing 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 33134-5717, bgarcia@coralgables.com, tel: (305) 460-5229. Failure to request an administrative hearing within seven (7) days after service of the Notice shall constitute a waiver of the Respondent's right to the hearing. The Respondent shall be liable for

the reasonable costs of the administrative hearing, if the Respondent does not prevail at the hearing.

DONE AND ORDERED at the City of Coral Gables, Miami-Dade County, Florida, on this 11<sup>th</sup> day of January, 2017.

CONSTRUCTION REGULATION BOARD  
OF THE CITY OF CORAL GABLES

  
Secretary to the Board

**Notice of Deadline to Appeal**

**PURSUANT TO SECTION 105-192(b) OF THE CITY CODE, AN APPEAL OF THIS ORDER MAY BE FILED IN THE CIRCUIT COURT IN MIAMI-DADE COUNTY, FLORIDA, WITHIN THIRTY DAYS OF THE FILING OF THIS ORDER.**

**BEFORE THE CONSTRUCTION REGULATION BOARD**  
**FOR THE CITY OF CORAL GABLES**

CITY OF CORAL GABLES,  
Petitioner,

Case No. 15-4614

vs.

BILTMORE II CONDOMINIUM  
ASSOCIATION, INC.  
A Florida not for profit corporation  
c/o David H. Rogel  
Registered Agent  
Becker & Poliakoff, P.A.  
121 Alhambra Plaza, 10<sup>th</sup> Floor  
Coral Gables, Florida 33134

Return receipt number:

91 7108 2133 3932 6150 7115

Respondent.

**NOTICE OF UNSAFE STRUCTURE VIOLATION FOR FAILURE TO RECERTIFY  
AND NOTICE OF HEARING**

Date: February 27, 2017

Re: **600 Biltmore Way**, Coral Gables, Florida 33134-7541 and legally described as all of Block 8, of CORAL GABLES BILTMORE SECTION, according to the Plat thereof, as recorded in Plat Book 20, Page 28, of the Public Records of Miami-Dade County, Florida; and having folio number 03-4117-025-0001 ("Property").

The City of Coral Gables ("City") Building Official has inspected the records relating to the Structure in accordance with Article III, Chapter 105 of the City Code, pertaining to unsafe structures, and Section 8-11 of the Miami-Dade County Code, as applicable in the City, pertaining to existing buildings. The Structure is hereby declared unsafe by the Building Official and is presumed unsafe pursuant to Section 105-I 86(j)(13) of the City Code for failure to timely comply with the maintenance and recertification requirements of the Florida Building Code or Section 8-11 of the Miami-Dade County Code.

**Therefore, 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 March 13, 2017, at 2:00 p.m.**

You may appeal the decision of the Building Official to the Board by appearing at the hearing. 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 if someone other than an attorney will be attending the hearing on your behalf, he or she 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 the Required Action is not completed before the above hearing date, the Building Official may order that the structure be vacated, boarded, secured, and posted (including but not limited to, requesting the electric utility to terminate service to the Structure) to prevent further occupancy until the Required Action is completed. The Building Official may also order demolition of the Structure and the City may recover the costs incurred against the Property and the Owner of record.

If the Property owner or other interested party does not take all Required Action or prevail at the hearing, the Construction Regulation Board may impose fines not to exceed \$250 for each day the violation continues past the date set for compliance and may also enter an order of demolition and assess all costs of the proceedings, in an amount not less than \$600, and the costs of demolition and other required action, for which the City shall have a lien against the Property owner and the Property.

Please govern yourself accordingly.

  
Belkys Garcia, Secretary to the Board

#### ADA NOTICES

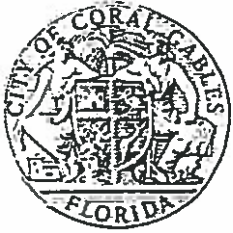
Any person who acts as a lobbyist pursuant to the City of Coral Gables Ordinance No. 2006-11, must register with the City Clerk, prior to engaging in lobbying activities before the city staff, boards, committees and/or the City Commission. A copy of the Ordinance is available in the Office of the City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

Presentations made to this Board are subject to the City's False Claims Ordinance, Chapter 39 of the City of Coral Gables Code.

**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.



CITY OF CORAL GABLES  
DEVELOPMENT SERVICES DEPARTMENT  
Affidavit of Posting

Complaint Case #: 15-4614

Title of Document Posted: Construction Regulation Board Case

I, JOSE PAZ, DO HEREBY SWEAR/AFFIRM THAT  
THE AFOREMENTIONED NOTICE WAS PERSONALLY POSTED, BY ME, AT THE  
ADDRESS OF 600 BILTMORE WAY, ON 2-27-17  
AT 10:30 am.

JOSE PAZ  
Employee's Printed Name

[Signature]  
Employee's Signature

STATE OF FLORIDA )  
ss.  
COUNTY OF MIAMI-DADE )

Sworn to (or affirmed) and subscribed before me this 27<sup>th</sup> day of February, in  
the year 2017, by Jose Paz who is personally known to  
me.

My Commission Expires:

Belkys Garcia  
Notary Public



600 Biltmore Way





## Detail by Entity Name

### Florida Not For Profit Corporation

BILTMORE II CONDOMINIUM ASSOCIATION, INC.

### Filing Information

Document Number 737310  
FEI/EIN Number 59-1700590  
Date Filed 11/16/1976  
State FL  
Status ACTIVE

### Principal Address

600 BILTMORE WAY  
CORAL GABLES, FL 33134

### Mailing Address

600 BILTMORE WAY  
CORAL GABLES, FL 33134

### Registered Agent Name & Address

ROGEL, DAVID H  
BECKER & POLIAKOFF, P.A.  
121 ALHAMBRA PLAZA, 10TH FL  
CORAL GABLES, FL 33134

Name Changed: 09/11/2006

Address Changed: 09/11/2006

### Officer/Director Detail

#### Name & Address

Title President

VIDE PEREZ, MAYRA  
600 BILTMORE WAY  
CORAL GABLES, FL 33134

Title SEC

ANDING, VOLKER

CITY'S

EXHIBIT

6.

600 BILTMORE WAY  
MIAMI, FL 33134

Title TREA

KOMRAD, EUGENE  
600 BILTMORE WAY  
CORAL GABLES, FL 33134

Title D

MCKINLEY, TERRY  
600 BILTMORE WAY  
CORAL GABLES, FL 33134

Title VP

SHWEDEL, GINNY  
600 BILTMORE WAY  
CORAL GABLES, FL 33134

Title DIRECTOR

KOHLER, INGRID  
600 BILTMORE WAY  
CORAL GABLES, FL 33134

### Annual Reports

Report Year	Filed Date
2014	03/03/2014
2014	10/28/2014
2015	03/24/2015

### Document Images

<a href="#">03/24/2015 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">10/28/2014 -- AMENDED ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/03/2014 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/25/2013 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/09/2012 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/09/2011 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/16/2010 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">06/22/2009 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/10/2008 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/06/2007 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">09/11/2006 -- Reg. Agent Change</a>	<a href="#">View image in PDF format</a>



[01/17/2006 -- ANNUAL REPORT](#)

[View image in PDF format](#)

[03/07/2005 -- ANNUAL REPORT](#)

[View image in PDF format](#)

[07/09/2004 -- ANNUAL REPORT](#)

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[04/25/2003 -- ANNUAL REPORT](#)

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[05/15/2002 -- ANNUAL REPORT](#)

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[05/11/2001 -- ANNUAL REPORT](#)

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[04/30/1999 -- ANNUAL REPORT](#)

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[04/30/1996 -- ANNUAL REPORT](#)

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[04/19/1995 -- ANNUAL REPORT](#)

[View image in PDF format](#)



**FOLIO:** 03-4117-025-2240  
**SUB-DIVISION:** BILTMORE II CONDO  
**OWNER:** HOWARD & BETTY ROXBOROUGH (TRUST)  
**PROP. ADDR:** 600 BILTMORE WAY UNIT. PH104  
 CORAL GABLES



**FOLIO:** 03-4117-025-2250  
**SUB-DIVISION:** BILTMORE II CONDO  
**OWNER:** FINANCIERA EMPERADOR S A  
 3RD FLOOR SCOTIABANK BUILDING  
**PROP. ADDR:** 600 BILTMORE WAY UNIT. PH105  
 CORAL GABLES



**FOLIO:** 03-4117-025-2260  
**SUB-DIVISION:** BILTMORE II CONDO  
**OWNER:** HOLLY DAVIDSON WINER  
**PROP. ADDR:** 600 BILTMORE WAY UNIT. PH106  
 CORAL GABLES



**FOLIO:** 03-4117-025-2270  
**SUB-DIVISION:** BILTMORE II CONDO  
**OWNER:** ROBERT PETZINGER  
 CRISTINA MORAN  
**PROP. ADDR:** 600 BILTMORE WAY UNIT. PH107  
 CORAL GABLES



**FOLIO:** 03-4117-025-2280  
**SUB-DIVISION:** BILTMORE II CONDO  
**OWNER:** ALINE JIDY TRS  
**PROP. ADDR:** 600 BILTMORE WAY UNIT. PH108  
 CORAL GABLES



**FOLIO:** 03-4117-025-2290  
**SUB-DIVISION:** BILTMORE II CONDO  
**OWNER:** EUGENE KOMRAD & W. AUDREY  
**PROP. ADDR:** 600 BILTMORE WAY UNIT. PH109  
 CORAL GABLES



**FOLIO:** 03-4117-025-2300  
**SUB-DIVISION:** BILTMORE II CONDO  
**OWNER:** GEORGIA H THEISS TR  
 GEORGIA H & GEORGE B THEISS (BEN)  
**PROP. ADDR:** 600 BILTMORE WAY UNIT. PH110  
 CORAL GABLES



**FOLIO:** 03-4117-025-2310  
**SUB-DIVISION:** BILTMORE II CONDO  
**OWNER:** MARIE FRANCE FOSSEY BEITZ TRS  
 MARIE FRANCE FOSSEY BEITZ (BEN)  
**PROP. ADDR:** 600 BILTMORE WAY UNIT. PH111  
 CORAL GABLES

600 Biltmore way

**Goizueta, Virginia**

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**From:** Lopez, Manuel  
**Sent:** Tuesday, June 09, 2015 2:19 PM  
**To:** 'Jonattan Mendez'  
**Cc:** Ashar Anwaar; Goizueta, Virginia  
**Subject:** RE: Building Recertification - Folio #03-4117-025-0001

Good, in that case I am giving you a six month extension to provide the report.

Manuel Z. Lopez P.E.  
Building Official  
City of Coral Gables  
Development Services Department  
405 Biltmore Way, 3<sup>rd</sup> Floor  
Coral Gables Florida, 33134  
305-460-5242



CORAL GABLES  
THE CITY BECAUSE

*Celebrating 90 years of a dream realized.*

---

**From:** Jonattan Mendez [<mailto:JMendez@pamiami.com>]  
**Sent:** Tuesday, June 09, 2015 1:02 PM  
**To:** Lopez, Manuel  
**Cc:** Ashar Anwaar  
**Subject:** RE: Building Recertification - Folio #03-4117-025-0001

Mr. Lopez;

Truthfully, assuming that everything goes swell with the electrical repairs, construction should be completed within 6 months. The important thing is that we are overseeing every aspect of it. Once repairs are completed, we will issue a letter of compliance for the structural and electrical portion of the building.

Please advise for an extension given the information above.

Best regards,

**Jonattan R. Mendez, PE**  
Structural Engineer

 **PISTORINO & ALAM**  
CONSULTING ENGINEERS, INC  
7171 SW 62nd Ave, 4th Floor  
Miami, FL 33143

CITY'S

EXHIBIT 37

Office Phone: (305) 669-2700  
Cell Phone: (786) 273-1682  
Fax: (305) 669-2165

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**From:** Lopez, Manuel [<mailto:mlopez@coralgables.com>]  
**Sent:** Tuesday, June 09, 2015 12:37 PM  
**To:** Jonnatan Mendez  
**Cc:** Ashar Anwaar  
**Subject:** RE: Building Recertification - Folio #03-4117-025-0001

How much time do you need?

Manuel Z. Lopez P.E.  
Building Official  
City of Coral Gables  
Development Services Department  
405 Biltmore Way, 3<sup>rd</sup> Floor  
Coral Gables Florida, 33134  
305-460-5242



*Celebrating 90 years of a dream realized.*

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**From:** Jonnatan Mendez [<mailto:JMendez@pamiامي.com>]  
**Sent:** Tuesday, June 09, 2015 11:55 AM  
**To:** Lopez, Manuel  
**Cc:** Ashar Anwaar  
**Subject:** Building Recertification - Folio #03-4117-025-0001

Mr. Lopez;

I tried contacting your office but could not reach you. My reason for calling is to discuss the recertification at the property referenced above. It's my understanding that a final notice has been issued to the building for non-compliance. Please allow me to provide you with a summary of events that transpired since the initial notification to the building was issued. We, Pistorino & Alam, Inc. (P&A) conducted an overall inspection report of the building for the 40 Year Recertification and prepared repair specifications to address observed structural conditions, as well as, special inspections during construction. The permit for structural repairs has been closed. Electrical repairs are still ongoing and we are providing inspection services for such.

Please allow us an extension and let us know what steps need to be taken in order to resolve this matter in timely fashion and avoid any penalties.

Let me know should you have any questions.

Sincerely,

**Jonnatan R. Mendez, PE**  
Structural Engineer



7171 SW 62nd Ave, 4th Floor  
Miami, FL 33143  
Office Phone: (305) 669-2700  
Cell Phone: (786) 273-1682  
Fax: (305) 669-2165

Please Note: Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

## Silio, Antonio

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**From:** Ana Abramowitz <biltmore2mgr@gmail.com>  
**Sent:** Monday, December 23, 2013 9:56 AM  
**To:** Lopez, Manuel  
**Cc:** Silio, Antonio  
**Subject:** FW: Biltmore II Condominium-600 Biltmore Way, Coral Gables- 40 Year Building Recertification Project  
**Attachments:** Power One Electrical contract.pdf.html; CA Lindman Painting Proposal revised.pdf.html

Good Morning Mr. Lopez: Please see a copy of the email sent to Mr. Silio who is currently out on vacation.

Merry Christmas and Happy New Year! Should you require any assistance please feel free to call me.

### Ana Abramowitz, LCAM

General Manager  
Biltmore II Condominium Assoc., Inc.  
600 Biltmore Way  
Coral Gables, Fl 33134  
[biltmore2mgr@gmail.com](mailto:biltmore2mgr@gmail.com)  
Tel: 305-448-4765  
Fax # 786-206-3063

---

**From:** Ana Abramowitz [<mailto:Biltmore2mgr@gmail.com>]  
**Sent:** Monday, December 23, 2013 8:55 AM  
**To:** 'asilio@coralgables.com'  
**Cc:** Juan Puig; Eugene Komrad ([ekomrad@aol.com](mailto:ekomrad@aol.com)); 'Bill & Marie France Beitz'; 'Jose Jaudenes'; Robert Pesqueira  
**Subject:** Biltmore II Condominium-600 Biltmore Way, Coral Gables- 40 Year Building Recertification Project

Dear Tony: This notice serves to inform you that Biltmore II has awarded the 40 Year Building Recertification structural AND electrical contracts to respective contractors. The work is being supervised by Pistorino & Alam, P.E. and will begin in early 2014.

**Electrical Contract:** Attached is a copy of the signed Power One Contract. The NOC has been obtained and Power One is in the process of obtaining the permit. Work should begin in late January.

**Structural Contract:** CA Lindman of South Florida LLC has been awarded this contract. It is currently being reviewed by our engineers and once corrections made it will be forwarded to CA Lindman for signature. If all works as planned we anticipate beginning work no later than early February 2014. (Attached is the "draft" of the CA Lindman contract between Biltmore II).

Our building committee is being copied of the attached.

Respectfully,

Ana Abramowitz, LCAM  
General Manager

Biltmore II Condominium Assoc., Inc.

600 Biltmore Way

Coral Gables, FL 33134

[biltmore2mgr@gmail.com](mailto:biltmore2mgr@gmail.com)

Tel: 305-448-4765

Fax # 786-206-3063

January 5, 2016

**VIA U.S. MAIL AND EMAIL - [bgarcia@coralgables.com](mailto:bgarcia@coralgables.com)**

City of Coral Gables  
Attention: Belkys Garcia, Secretary to the  
Construction Regulation Board  
Development Services Department  
405 Biltmore Way, 3<sup>rd</sup> Floor  
Coral Gables, Florida 33134

Re: Request for Continuance  
City of Coral Gables v. Biltmore II Condominium Association, Inc.  
Case No. 15-4614

Dear Ms. Garcia:

This firm serves as counsel to Biltmore II Condominium Association, Inc. We are seeking a continuance of the hearing currently scheduled for January 11<sup>th</sup> at 2:00 p.m. before the Construction Regulation Board ("Board"). The purpose of the continuance is to allow our client additional time in which to complete the requirements imposed by applicable law for the recertification of the building.

The substantial portion of the recertification process has been completed and our client's engineer can confirm that all structural issues have been addressed. Nonetheless, based upon a lack of completion of work by the electrical engineer, a small amount of the recertification process remains. The request for a continuance is intended to avoid the need for the Board to use its valuable time and resources for a matter which would most likely be resolved without the Board's intervention. If there is any documentation or information that can be provided to further this request, please advise me.

While I have placed this matter on my calendar, I am hopeful that the Board can provide the continuance requested so that all attention can be paid to resolving the minor electrical issues which remain the only impediment to completion of the recertification process.

Sincerely,



David H. Rogel  
For the Firm

DHR:ma

cc: Biltmore II Condominium Association, Inc.  
ACTIVE: B00129/202598.8000503\_1





7171 S.W. 62nd Ave., Fourth Floor • Miami, Florida 33143  
(305) 669-2700 • Fax: (305) 669-2165

August 15, 2016

Ms. Belkys Garcia, Secretary to the Construction Regulation Board  
Development Services Department  
City of Coral Gables  
405 Biltmore Way, 3<sup>rd</sup> Floor  
Coral Gables, Florida 33134

**Re: Case No. 15-4614, Biltmore II Condominium Association- 40 Year Electrical Re-certification**

Dear Ms. Belky's:

To the best of my knowledge, belief and professional judgement, the common area portions of the property at 600 Biltmore Way, Coral Gables, Fl. 33134 meet the intent of the 40 Year Recertification Report. This statement is based in a reasonable fashion and on the Miami-Dade County Board of Rules and Appeals Section 8-11 of the Miami-Dade County Code for 40 Year Electrical Re-certification guidelines. We are recommending the common areas for forty-year electrical recertification. The building's common areas are electrically safe.

They are almost completed with the certification of compliance with parking lot illumination standards in Chapter 8C of the code of Miami-Dade County.

This recertification pertains solely to the common areas at the above referenced project. I will not certify the entire building as being electrically safe until the individual units have completed repairs and have proven that the smoke detectors in each unit are operating properly.

Very truly yours,

Vincent Sancho, P.E.  
Electrical Engineer

Cc: Gladys Lage, LCAM, Property Manager  
Biltmore II Condominium Association, Inc.

## Garcia, Belkys

---

**From:** alp@alp-law.com  
**Sent:** Tuesday, January 05, 2016 2:36 PM  
**To:** Rogel, David  
**Cc:** Aguilar, Margarita; Garcia, Belkys; Goizueta, Virginia  
**Subject:** Re: City of Coral Gables v. Biltmore II CAI - Case No. 15-4614 - Request for Continuance

Dear Mr. Rogel:

The City agrees to continue the case until the hearing of February 8, 2016 at 2:00p p.m. Please confirm your availability for that hearing, unless the compliance report is submitted and approved and all fees and administrative costs of \$600 are paid.

Thank you.

Very truly yours,

Alexander L. Palenzuela  
Law Offices of Alexander L. Palenzuela, P.A.  
1200 Brickell Avenue, Suite 1440  
Miami, FL 33131-3205  
main (305) 375-9510, ext. 303  
direct +1 (305) 417-9007  
fax (305) 375-9511  
[alp@alp-law.com](mailto:alp@alp-law.com)  
[www.alp-law.com](http://www.alp-law.com) <<http://www.alp-law.com>>

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On 1/5/16, 11:49 AM, "Aguilar, Margarita" <[MAguilar@bplegal.com](mailto:MAguilar@bplegal.com)> wrote:

>Please see attached letter dated January 5, 2016, regarding the above  
>matter. Thank you.  
>  
>  
>Margarita Aguilar  
>Legal Assistant to Michael C. Góngora, Esq., David H. Rogel, Esq. and  
>Adam Kravitz, Esq.  
>  
>Becker & Poliakoff, P.A.  
>Alhambra Towers | 121 Alhambra Plaza, 10th Floor | Coral Gables, FL  
>33134  
>Tel: 305.262.4433 | Fax: 305.442.2232 | [MAguilar@bplegal.com](mailto:MAguilar@bplegal.com)  
>[www.bplegal.com](http://www.bplegal.com)  
>  
>  
>The Becker & Poliakoff Client CARE Center is here to serve our valued  
>clients. If we can be of assistance in any way, please call us  
>toll-free at 1-844-CAREBP1 (1-844-227-3271) or by email at [care@bplegal.com](mailto:care@bplegal.com).

## Garcia, Belkys

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**From:** Goizueta, Virginia  
**Sent:** Thursday, January 07, 2016 4:07 PM  
**To:** 'Claudia Mariategui'  
**Cc:** alp@alp-law.com; Garcia, Belkys  
**Subject:** RE: Notice of Unsafe Structure - Biltmore II Condominium Building (Case #15-4614)

Good afternoon Claudia,

On May, 30, 2013 a recertification report RC-13-05-1886 was submitted for 600 Biltmore Way and a fee of \$481.08 was paid. The fee for the review of this report was \$380.63 plus \$ 2.45 per page of documentation submitted (41 pages). The report was rejected due to the requirement for repairs. Additional review fees will not be required since the new report will be superseding the old report.

The new report received on January 6, 2016 was assigned number RC-15-12-5616 and was forwarded to electrical and building for review.

When the extensions to recertify the building expired, the case was forwarded to the Construction Regulation Board for non-compliance. This process has an administrative fee of \$600.00 plus recording fees, if a board order is recorded. As per the owner's request the hearing was postponed until February 8, 2016.

There is a current balance of \$600 dollars required to be paid prior to the City's issuance of a recertification letter.

Please let me know if you need further information on this matter.

*Virginia Goizueta*

*Building Service Coordinator*

*City of Coral Gables*

Development Services Department

405 Biltmore Way, 3<sup>rd</sup> Floor

Coral Gables, Florida 33134

Office: 305-460-5250



CORAL GABLES  
THE CITY BEHIND THE SCENES

*Celebrating 90 years of a dream realized.*

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**From:** Claudia Mariategui [mailto:claudiam@pamiامي.com]  
**Sent:** Thursday, January 07, 2016 3:22 PM  
**To:** Goizueta, Virginia  
**Subject:** Re: Notice of Unsafe Structure - Biltmore II Condominium Building (Case #15-4614)

Thank you!

Sent from my iPhone

On Jan 7, 2016, at 3:20 PM, Goizueta, Virginia <[vgoizueta@coralgables.com](mailto:vgoizueta@coralgables.com)> wrote:

Good afternoon Ms. Mariategui,

I've forward your e-mail to City Council, Mr. Alexander Palenzuela which can explain the specifics on the case. His information is outlined below.

**From:** Alexander Palenzuela <[alp@alp-law.com](mailto:alp@alp-law.com)>  
**Date:** Thursday, January 7, 2016 at 1:02 PM  
**To:** "mavelino@bellsouth.net" <[mavelino@bellsouth.net](mailto:mavelino@bellsouth.net)>  
**Subject:** 131 Zamora Ave

Dear Ms. Martinez:

Virginia Goizueta forwarded your email to me. I just tried calling your cell and was unable to leave a message. Please call me to discuss this matter.

Thank you.

Very truly yours,

Alexander L. Palenzuela  
Law Offices of Alexander L. Palenzuela, P.A.  
1200 Brickell Avenue, Suite 1440  
Miami, FL 33131-3205  
main (305) 375-9510, ext. 303  
direct +1 (305) 417-9007  
fax (305) 375-9511  
[alp@alp-law.com](mailto:alp@alp-law.com)  
[www.alp-law.com](http://www.alp-law.com)

*Virginia Goizueta*  
Building Service Coordinator  
City of Coral Gables  
Development Services Department  
405 Biltmore Way, 3<sup>rd</sup> Floor  
Coral Gables, Florida 33134  
Office: 305-460-5250



CORAL GABLES  
THE CITY OF GARDENS

*Celebrating 90 years of a dream realized.*

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**From:** Claudia Mariategui [<mailto:claudiam@pamiami.com>]  
**Sent:** Thursday, January 07, 2016 3:11 PM  
**To:** Goizueta, Virginia  
**Subject:** Fwd: Notice of Unsafe Structure - Biltmore II Condominium Building (Case #15-4614)

Good afternoon Ms. Goizueta:

Any update on this matter?

Thank you !

Begin forwarded message:

**From:** Claudia Mariategui <[claudiam@pamiami.com](mailto:claudiam@pamiami.com)>  
**Date:** January 6, 2016 at 4:16:43 PM EST  
**To:** "[vgoizueta@coralgables.com](mailto:vgoizueta@coralgables.com)" <[vgoizueta@coralgables.com](mailto:vgoizueta@coralgables.com)>  
**Cc:** Ashar Anwaar <[ashar@pamiami.com](mailto:ashar@pamiami.com)>  
**Subject:** Notice of Unsafe Structure - Biltmore II Condominium Building (Case #15-4614)

Good afternoon Ms. Goizueta:

My name is Claudia Mariategui from Pistorino and Alam Consulting Engineers, we spoke yesterday regarding the letter and report we are submitting to the city regarding the above referenced. Our runner went today to submit the report with the filing fee check but he said the gentleman that helped him told him to hold on to the check because there is another fee due of about \$600.00 which is due before February. Can you please confirm your receipt of the report? Also, if you can please give me the exact amount of the fee that is owed so we can make payment immediately.

Thank you,

*Claudia Mariategui, Project Support Manager*



Please Note: Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

## Garcia, Belkys

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**From:** Garcia, Belkys  
**Sent:** Thursday, January 05, 2017 3:34 PM  
**To:** 'Aguilar, Margarita'  
**Cc:** Suarez, Cristina; Lopez, Manuel; Goizueta, Virginia; Rogel, David  
**Subject:** RE: City of Coral Gables v. Biltmore II CAI - Case No. 15-4614

Good afternoon,

Please note the paperwork Attached in your email will be sent to the Board members per your request.

Thank you,

*Belkys Garcia*  
City of Coral Gables  
Development Services Department  
Building Division  
405 Biltmore Way, 3rd Floor  
Coral Gables, Florida 33134  
Office: (305) 460-5229



Please Note: Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

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**From:** Aguilar, Margarita [<mailto:MAguilar@bplegal.com>]  
**Sent:** Thursday, January 05, 2017 3:18 PM  
**To:** Garcia, Belkys  
**Cc:** Rogel, David  
**Subject:** City of Coral Gables v. Biltmore II CAI - Case No. 15-4614

Good afternoon Ms. Garcia.

Per my voicemail message to you (left a few minutes ago), please see attached a Request for Enlargement of Time to Complete Electrical Recertification, regarding the above matter. The above case is scheduled for hearing on Monday, January 9, 2017 at 2:00 p.m. (Also attached is a copy of the Notice of Hearing for your reference.) We respectfully request that the Construction Regulation Board receive a copy of the attached Request prior to the hearing. Please advise if I need to forward the original to you or if I need to file the original with a Clerk for the City of Coral Gables. Thank you for your attention and assistance in this matter.

**Margarita Aguilar**

Legal Assistant to Michael C. Góngora, Esq., David H. Rogel, Esq. and Adam Kravitz, Esq.



Alhambra Towers | 121 Alhambra Plaza, 10th Floor | Coral Gables, FL 33134

Tel: 305.262.4433 | Fax: 305.442.2232 | [E-Mail](#)

[Website](#)

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BEFORE THE CONSTRUCTION REGULATION BOARD  
FOR THE CITY OF CORAL GABLES

CASE NO. 15-4614

CITY OF CORAL GABLES,

Petitioner,

vs.

BILTMORE II CONDOMINIUM  
ASSOCIATION, INC.,

Respondent.

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**REQUEST FOR ENLARGEMENT OF TIME  
TO COMPLETE ELECTRICAL RECERTIFICATION**

BILTMORE II CONDOMINIUM ASSOCIATION, INC. ("BILTMORE II"), by and through its undersigned counsel, requests an enlargement of time to complete electrical recertification as required by applicable Code and prior orders of the Construction Regulation Board ("Board") and states:

1. Forty-year recertification under applicable Code became due in 2013. Currently, by Order of the Board, a deadline of February 5, 2017, was established for completion of recertification.
2. BILTMORE II contracted with Pistorino & Alam ("Engineer") to act on behalf of BILTMORE II in connection with the certification.
3. While all aspects of recertification of the condominium building operated by BILTMORE II have been completed, a dispute arose regarding electrical recertification and the scope of work.
4. As a result of separate proceedings, it was determined that electrical certification of the condominium building operated by BILTMORE II required recertification of common areas as well as the individual, privately owned, units.

5. This was at variance with the original process that BILTMORE II followed which, among other things, included inspection of a sample of individual, privately owned, condominium units.

6. While BILTMORE II has absolute control over the common elements of the condominium building it operates, it is limited in connection with its ability to address deficiencies in the privately owned units.

7. Specifically, owners of privately owned units are obligated to maintain, repair and replace all portions of their privately owned condominium unit. The failure of an owner to undertake maintenance, repair and replacement as required allows BILTMORE II to proceed with legal action to enforce those requirements, but does not allow BILTMORE II to make repairs.

8. All 232 unit owners within BILTMORE II were previously notified by BILTMORE II regarding their obligations with respect to the electrical panels in the privately owned units.

9. In addition, BILTMORE II has caused its attorneys to make demand upon all units where electrical panels may require action in order to obtain recertification, providing a deadline of December 31, 2016, in order to undertake the necessary action, including retaining an electrician and performing the necessary work to obtain recertification. Despite demands, and because many owners do not reside in the condominium (or for that matter in the State of Florida or the United States), notice of the requirements imposed have met with delay and, in some cases, an inability to communicate in a manner that will achieve the results required.

10. Two hundred nineteen units (94% of the privately owned units in BILTMORE II) have had initial inspections of the electrical panels in the units.

11. One hundred twenty-eight units (55% of the total) have had defects in the units repaired by a licensed electrician with a City permit and have passed final inspections.

12. In addition to electrical panel and other issues, all 232 units have been notified that smoke detectors must be inspected for age, back-up battery or operational issues and all of the units have been inspected for smoke detector issues.

13. Two hundred eleven units (91% of the total) are in compliance and twenty-one units (9% of the total) have been notified that their smoke detectors need to be replaced

14. Of the remaining units, numerous units are, as a result of the notifications and demands by BILTMORE II and its attorneys, in the process of undertaking the required actions with respect to both electrical and smoke detector requirements.

15. Biltmore II and its members have suffered hardship by virtue of significant changes in the scope of work needed to address alleged deficiencies in the electrical systems in the private units. While BILTMORE II has been diligently attempting to obtain compliance, compliance began with a different scope of work than has subsequently been imposed by the Engineer. Specifically, while some portions of some electrical panels in the private units required repairs originally, the scope of work subsequently imposed by the Engineer now includes additional requirements including:

- a. clearance requirements for access to electrical panels;
- b. independent disconnect devices for tankless water heater installations;
- c. tightness of conduit connections at water heaters and air handler units;
- d. operability, back-up battery and over-age conditions of smoke detectors;
- e. existence of properly situated CGFI devices in kitchens and bathroom;

f. other in-unit electrical defects outside the electrical panels which were not the subject of the original inspections undertaken by the Engineer as part of the electrical recertification process.

This has created additional delay.

17. BILTMORE II has acted, and will continue to act, with diligence in completing all requirements for recertification. However, given the requirement to commence legal action with respect to those units which have not complied, BILTMORE II will require additional time in which to complete electrical recertification.

18. The request for an enlargement of time is made in good faith, and not for the purpose of delay.

WHEREFORE, BILTMORE II respectfully requests the Construction Regulation Board grant additional six (60 months from February 5, 2017, in which to complete electrical recertification as required.

BECKER & POLIAKOFF, P.A.  
Attorneys for BILTMORE II CAI  
121 Alhambra Plaza, 10<sup>th</sup> Floor  
Coral Gables, Florida 33134  
Phone: (305) 262-4433  
Fax: (305) 442-2232  
Email: [drogel@bplegal.com](mailto:drogel@bplegal.com)

By: 

David H. Rogel, Esq.

ACTIVE: B00129/202598 9277553\_1