

CITY OF CORAL GABLES
405 BILTMORE WAY
CORAL GABLES, FLORIDA 33134

MEETING OF THE HISTORIC PRESERVATION BOARD

September 18th, 2025

4:00 p.m.

City Hall, Commission Chambers

Commission Members In Attendance:

ALEJANDRO SILVA

CESAR GARCIA-PONS

MICHELLE CUERVO-DUNAJ

DONA SPAIN

MARLIN EBBERT

ANA ALVAREZ

KELLY SCHILD

CITY ATTORNEY:

STEPHANIE THROCKMORTON

1 (Excerpt of Meeting.)

2 MR. SILVA: We are back. Thank you all very
3 much. We are going to hear our next case. This is
4 case file COA SP 2024-027, an application for the
5 issuance for a Special Certificate of Appropriateness
6 for the property at 128 Obispo Avenue, Contributing
7 Resource within the "Obispo Avenue Historic District,"
8 legally described as Lots 1 and 2, Block 3, Coral
9 Gables Section E, according to the Plat thereof, as
10 recorded in Plat Book 8, Page 13 of the public records
11 of Miami Dade County, Florida.

12 The application requests design approval for the
13 demolition of an existing residence. The applicant is
14 claiming economic hardship.

15 Before we begin, I think some of you all walked
16 in late; if you haven't been sworn in, would you
17 please rise and be sworn in, anyone who was not sworn
18 in before and is going to speak.

19 (Swearing of those wishing to speak.)

20 MR. SILVA: Thank you. And also before we begin,
21 I think Ms. Throckmorton was going to say, give a kind
22 of background or a briefing.

23 MS. THROCKMORTON: Of course. Thank you,
24 Mr. Silva. Just given that this Board hasn't seen an
25 undue hardship application in, I think over a decade,

1 I wanted to give you all a brief refresher of the law
2 and give a brief overview of what, in the Code, so
3 that we ask proceed with this application
4 appropriately.

5 So obviously, the decision as to whether or not
6 to issue a Certificate of Appropriateness for
7 demolition of this property is for the Board to make.
8 The City Attorney's Office takes no position as to the
9 merits of the issuance in this case. But I wanted to
10 assist you in hearing this application, and giving you
11 a little bit of background on the legal issues related
12 to evaluating the undue hardship application and
13 provide a brief background about this office's
14 previous terminations.

15 So one of the criteria to be considered in the
16 issuance of a Special Certificate of Appropriateness
17 for Demolition is whether the application has
18 demonstrated that retention of the building structure
19 or site would create an unreasonable or undue economic
20 hardship. That is a defined term in the zoning code.

21 The undue economic hardship is defined as an
22 exceptional financial burden that would amount to the
23 taking of property without just compensation or
24 failure to achieve a feasible economic return in the
25 case of income-producing properties.

1 Our office has previously determined in memos, I
2 believe Ms. Spain was around the last time this came
3 around, that when evaluating whether a historic
4 designation causes an undue economic hardship such
5 that a Certificate of Appropriateness should be
6 issued, the claimed economic hardship should be
7 evaluated under the standard that the U.S. Supreme
8 Court has outlined in the Penn Central case.

9 We don't have to get into all the details and
10 legalities of that taking jurisprudence, but
11 generally, it requires that the adjudicating body
12 evaluate the economic impact of the regulation on the
13 Claimant, and particularly, the extent to which the
14 regulation has interfered with distinct investment
15 backed expectations, as well as the character of the
16 governmental action. That means that you should
17 consider whether it amounts to a physical invasion or
18 if it instead affects the property interest through
19 some public program, adjusting the benefits and
20 burdens of economic life to promote the common good.

21 So the current jurisprudence on taking has found
22 that diminution of property value standing alone
23 doesn't generally constitute a taking. Designation of
24 historic property is a valid exercise of the
25 government's police power.

1 MR. SILVA: I'm sorry, Ms. Throckmorton, would
2 you repeat that first line again, and a little more
3 slowly.

4 MS. THROCKMORTON: Sure. It's a very legal --
5 Essentially, what applies to this and what would apply
6 in an appellate review is a taking standard. So the
7 broad basis of that is, given the language in our
8 zoning code about whether or not that undue hardship
9 is defined as an exception financial burden that would
10 amount to the taking of a property without just
11 compensation, that what applies to you all is the
12 standard of taking; Takings Law. Which is a broad
13 book of jurisprudence that is found in regulatory
14 takings, physical takings, eminent domain. There is a
15 whole law of takings that apply to that, that
16 generally, the way our code defines that, is that it's
17 the taking of a property without just compensation, or
18 in the case of income-producing properties, a failure
19 to achieve a feasible economic return. And that is
20 one of the prongs for consideration in the issuance of
21 a Special Certificate of Appropriateness for
22 demolition.

23 As we move on, I'm happy to answer any more
24 specific questions, but I just wanted to broadly state
25 that the way that it has been upheld in courts, and

1 the way that we have defined undue economic burden in
2 our zoning code, under economic hardship, excuse me,
3 is in that realm of takings. And that's the sort of
4 legal framework in which we are working here.

5 I know there is some background information that
6 has been provided to you, that this item has come to
7 you before, I'll let Ms. Pernas explain that and then
8 let the applicant present their application for the
9 SCOA.

10 MR. SILVA: Thank you. Ms. Pernas.

11 MS. PERNAS: Anna Pernas, Preservation Officer.
12 I just wanted to give a brief description because this
13 application has been before the Board for demolition
14 and was previously denied. But this is application is
15 different because it is including, inclusive of the
16 claim of undue economic hardship.

17 So just a brief background on the property and
18 then I'll let the applicants present their proposal.

19 In May 2008, the Obispo Avenue Historic District
20 was listed in the Coral Gables Register of Historic
21 Places. 1258 Obispo Avenue is considered a
22 contributing structure within the District.

23 In 2014, a Special Certificate of Appropriateness
24 was approved for a large one-story addition on the
25 residence and it was never built, then the COA

1 expired. In 2019, a COA for addition and alterations
2 to the residence and site work were approved, and
3 multiple conditions by Historic Board. And again,
4 that proposal was also never built.

5 In July 2021, the Board reviewed a request for
6 the revision of the Special Certificate of
7 Appropriateness For the removal and replacement of the
8 roof and floor framing due to the poor condition. A
9 replica of the historic roof was to be built and the
10 floor was to be replaced with a lower concrete slab.
11 The Board made a motion to defer the consideration of
12 the revision and suggestion that the structural
13 engineer, who is familiar with the residence, be
14 present and participate at the next meeting.

15 The applicant did not return to the Board and the
16 proposal did not proceed. Soon after is when the
17 property owners purchased the property in October
18 2021. Staff met with the applicants prior to the
19 purchase of the property, and explained the prior
20 Board reviews and outcomes.

21 In December 2022, the Historic Preservation Board
22 reviewed a request for the demolition of the existing
23 structure. The Historic Preservation Board found that
24 the proposed demolition is historically inappropriate,
25 detracts from the integrity of the historic structure

1 and the historic district, and is inconsistent with
2 the Secretary of Interior Standards for
3 rehabilitation. The Board approved the motion to deny
4 the application.

5 The applicants did appeal that request, and the
6 property owner submitted a notice of an intent to
7 appeal to the Board to the City Clerk, and on February
8 7th, 2023, the property owner submitted the complete
9 application.

10 The City Commission heard the appeal on February
11 28th, 2023, and the appeal hereby denied, and the
12 decision of the historic was denied and the Historic
13 Preservation Board's decision was affirmed by the City
14 Commission. Since that decision was made, the
15 applicant has been in touch with our office about the
16 undue economic hardship application.

17 We have been working with them for about a year
18 to over a year or so to get the application complete,
19 and make sure that we had all the materials that we
20 needed in order to review, to make a decision on
21 whether it met the economic hardship requirements and
22 to see whether or not we would require a third-party
23 review of those materials. We have moved forward with
24 the application since, and we are here to today to go
25 forward with that. And I will let the applicant take

1 it from here.

2 MR. MESTRE: Thank you very much. My name is
3 Cesar Mestre, I'm here with co-counsel, Oscar de la
4 Rosa, and the owners of the property, Javier Avila and
5 Jennifer Ruiz.

6 As Staff said, they have been before you before,
7 kind of asking for something very similar to what's
8 happening now.

9 MS. PERNAS: Can we get the presentation up? And
10 this is just the 1940s photo of the property.

11 MR. MESTRE: So we are here on the property,
12 which is 1258 Obispo Avenue, owned by Javier Avila and
13 Jennifer Ruiz. It's very important to realize that
14 they purchased it in October of 2021. It's a 50,000
15 square foot property, with a home that was built in
16 1946. It's a two-bedroom, one-bath, one-story
17 property. They purchased it in October 21st, for
18 \$1,025,000. Last year's taxes, this is part of what
19 was submitted to the City, the taxes on that property
20 were \$30,000 last year.

21 When Mr. and Mrs. Avila Ruiz decided to buy this
22 property, they lived in Coral Gables, they wanted to
23 start a family, they wanted this to be their home.
24 They met with Warren Adams here in the City to ask
25 about the property and what was going on. There was

1 no discussion at that time regarding the structure
2 integrity of this property. As Staff said, this
3 property has already been approved for Special
4 Certificate of Appropriateness twice; one in 2014 and
5 one in 2019. The one in 2019 was actually a pretty
6 big addition, would make it almost 4,000 square feet.

7 I ask you to keep in mind that although the
8 owners at that time, and there have been three owners
9 over the last ten years, they never went forward with
10 that. And you ask yourself, why? Why would they go
11 through the trouble of coming here, doing all the
12 applications, spending all the money, and doing
13 everything they needed to do and then not follow
14 through with it.

15 The building valuation is, the land is worth,
16 \$1,455,000 and the building is worth about \$21,000.
17 When my client decided to buy the house after meeting
18 with Staff, finding out that they had these Special
19 Certificates of appropriateness that were granted,
20 they went to do the work. They hired contractors or
21 brought contractors out, and that's when to his
22 surprise, he found out that the structural integrity
23 of the property was not there. That not only was he
24 looking at these additions as the expense, but that
25 there was a serious problem with this house at that

1 time.

2 He found out that these contractors coming out,
3 and they had several, they started with, you don't
4 just need this work, you need much more work. And
5 it's so bad that the contractors told him, I don't
6 even feel safe going in to do work on this side of the
7 house because I am afraid it's going to fall on me,
8 cause problems. They were reluctant to even do the
9 work that it needed to do, because it was much more
10 work that was needed than what was originally thought
11 of.

12 This is the bid for the repairs on just part of
13 the repairs that they need. This is for the floors
14 and the roof boards. This is \$175,000 that was quoted
15 to him at that time. This appraisal shows you that
16 the appraised value of the property was \$1,150,000.
17 The prior historical structure form, this is from the
18 City, and the part on the bottom reads as followings:
19 "This building," referring to the one that we are
20 talking about, "lacks sufficient architectural merit
21 and historical import for individual local designation
22 or national register historic property listing, but it
23 does contribute to the Obispo Avenue Historic District
24 as the example of domestic architecture from the
25 District's period of significance."

1 So the City itself determined that this property,
2 this individual property is not historical but it's
3 part of the historical district.

4 This slide shows you a report from professional
5 engineer, Antonio Canelas, dated February 24th, 2023,
6 where he recommended that the home not be inhabited,
7 the possible repairs necessary to restore the
8 structural integrity of the house would over-exceed
9 the cost of new construction.

10 So this professional engineer says, nobody should
11 be living here, this is dangerous, and the cost of
12 fixing this is going to cost you more than what this
13 property is worth.

14 This is just showing that the Board does have the
15 power and the authority to grant the demolition
16 Certificate of Appropriateness. In your code, there
17 is a section 8-1078, which deals with demolitions.
18 Section D is the criteria set forth for you to
19 consider when discussing this type of matter. They
20 have one through eight, is the criteria that they
21 have.

22 In Staff's report, D(1), it says, "The degree to
23 which the building structure, improvement or site
24 contributes to the historic district."

25 One of the other criteria is, is this property,

1 is this house unique? Is it the last one that is this
2 type of structure? And Staff's own report says, no,
3 this is not the last one; there are others. But at
4 the same time it says, that this house will affect the
5 historic district. And it says, "This building is a
6 contributing resource of the Obispo Avenue Historic
7 District. Its removal would irreversibly and
8 negatively impact the historical architectural
9 significance of the District."

10 I took the time, and I counted the district from
11 avenue to avenue, and I counted, approximately, about
12 124 houses that were contained within that historic
13 district. To say that this would, I want to quote,
14 "irreversibly and negatively impact the district," I
15 think it's necessary to see how many other structures
16 there have this type of architecture, how many of
17 these structures were done by the same architect.

18 MR. SILVA: Excuse me, sir, just one minute. I
19 would like to ask Ms. Throckmorton a question. So we
20 are tasked with looking at this application in terms
21 of economic hardship only, correct? We are not
22 reevaluating the designation itself?

23 MS. THROCKMORTON: There are eight criteria that
24 should be considered. It's not one or all required,
25 but the eight criteria to be considered for

1 demolition. This Board has previously considered the
2 seven of the eight, because there was not previously
3 made an argument for undue economic hardship. It is
4 coming before you now to be considered with all eight
5 criteria.

6 MR. SILVA: All eight again?

7 MS. THROCKMORTON: I believe so.

8 MS. PERNAS: So in order for them to claim the
9 undue economic hardship, it has to come to the Board
10 with a Special Certificate of Appropriateness. So you
11 are reviewing a Special Certificate of Appropriateness
12 for the demolition and the economic, and claim of
13 undue economic hardship.

14 MR. SILVA: Thank you.

15 MS. THROCKMORTON: To the extent that there has
16 been any change in position in any of those factors,
17 I think they would be considered. It is essentially,
18 a de novo review of that COA, but the COA was
19 previously denied when considering those seven other
20 criteria.

21 MR. SILVA: Thank you. Thank you for clarifying.

22 MR. MESTRE: Thank you. Glad you cleared that
23 up. Criteria number two, it was determined that the
24 building was not one of the last remaining examples of
25 its kind in the neighborhood, in the county or in the

1 region.

2 Criteria number three, whether the loss of the
3 building structure, improvement or site would
4 adversely affect the historic and or archeological
5 integrity of the historic site or district. Again,
6 here, the loss of the building would adversely affect
7 the historic architectural integrity of the district,
8 and would result in one less contributing structure.

9 Again, I think here it is extremely important to
10 see, there is one less, but out of the 124 houses, how
11 many houses are left that have the same type of
12 structure.

13 Number four, whether the retention of the
14 building structure improvement or site, would promote
15 the general welfare of the City by providing
16 opportunity for study of local history. The response
17 or the observation from Staff was, as the building
18 retains much integrity, it provides an opportunity for
19 study of local history, architecture, design of that
20 particular culture or heritage. Again, it's just a
21 determination that this one -- if this one structure
22 goes, it's going to negatively impact the entire
23 district, and we don't agree with that.

24 On the reuse, which is your item number five,
25 your criteria, talks about plans for reuse of the

1 property. I can tell you that the owner has gotten
2 renderings that were made, and this is what they are
3 proposing. They are trying to keep as much as
4 possible, and I know that this was a very important
5 item for them, the same type of style, which I believe
6 is Mediterranean Revival with the property that's due.

7 This is what they envisioned when they bought the
8 property. This is what they would like to do there.
9 But of course, that's all going to depend on your
10 decision today.

11 Number six in the criteria is whether the
12 building structure, improvement or site possesses an
13 imminent threat to public health or safety.

14 There have been photographs that were submitted
15 with the Letter of Intent, which is part of the
16 application, which shows the condition of the
17 property. Although, my client, after he purchased it,
18 he did repair some windows, they did some caulking
19 they tried to do some Band-aid damage to keep the
20 water intrusion from incurring, but it has holes in
21 the floor, holes in the roof. It's eaten by termites.
22 All the trusses need to be replaced. The floors need
23 to be replaced. There is a picture showing, like, a
24 cinder block that's holding up part of the house.

25 So our position, and what I would argue to you is

1 that, this property, although it has not been
2 officially declared an unsafe structure, we do have
3 the engineer's report that says, nobody should be
4 living there. This is a nuisance, this is an actual
5 danger to the community. We know that children like
6 to go into empty houses. So I believe that this is a
7 danger, and it is a public necessity to demolish this
8 house.

9 The economic hardship. The property was
10 purchased for \$1,025,000. The interest payments on
11 this property are \$99,000 a year. The taxes for the
12 last year were \$30,000. There is a list that has been
13 submitted with estimates of all of the items that
14 would need to be repaired in order to bring this
15 property, this 1,300 square foot, two-bedroom,
16 one-bath house into compliance and up to date, and it
17 would be in excess of \$650,000. So I argue to you
18 that, in his eyes, in his financial situation, in his
19 inability to use this property because of the cost
20 that it would cost to bring it up to par, it is a
21 taking, because he has not been able to use this
22 property since 2021. He has been paying for it. He's
23 been paying the upkeep. He's been paying \$5,000 a
24 year to cut the grass, but he is unable to use it, and
25 can't even get anybody to go in there to fix it,

1 because they are afraid it's going to fall on them and
2 it's going to be a hazard.

3 Again criteria number eight, that there is a
4 compelling interest. I repeat to you, I believe this
5 is an eyesore, dangerous to children, dangerous to the
6 community. Interestingly, again, there was a house or
7 yeah, there was a house located directly east. This
8 is a corner house, the second house from the corner,
9 was demolished, and it is under construction. They
10 are almost finished with that. So that house was
11 either partially or fully demolished, and it was our
12 neighbor's house.

13 There have been, as I told you, three owners
14 since 2013. The first sale was \$260,000 in 2013. The
15 second sale was 2017, was \$750,000. And then my
16 client bought in 2021 for \$1,025,000. If you noticed
17 when Staff was telling you the background, the prior
18 owner came here, I believe, in July of 2021 before
19 this Board. And this Board deferred the item, saying,
20 we want you to come back but come back with a
21 structural engineer. Instead of coming back here,
22 that gentleman, whoever that owner was, instead of
23 coming back here with the structural engineer as he
24 was asked to do, he turned around and sold it to my
25 client. He bought it four months later for a lot more

1 money than what he had paid for.

2 So although he had permission to do the
3 additions, requested to come here because he wanted to
4 change the Special Certificate that he had, he never
5 came back with the structural engineer. That is the
6 big, big problem which has nothing to do with my
7 client's conduct. The property is falling apart,
8 literally. It is structurally unsound, and it's going
9 to cost way too much money to make this make sense.

10 So in conclusion, we would ask you to find that
11 we have met the undue economic hardship criteria, that
12 based on the facts as I have presented them to you, it
13 doesn't make any economic sense to do what he needs to
14 do to make this property up to par. That this is a
15 taking in the sense that they have been unable, and
16 will continue to be unable to use the property in any
17 fashion because it is uninhabitable and no contractor
18 is willing to go out there and do the work.

19 Allow us to do what our neighbor did, and allow
20 us to demolish the property. We respectfully ask you
21 for a vote of approval. And if you have any questions
22 for me or my client or co-counsel, we would be happy
23 to answer them.

24 MR. SILVA: Thank you. Does anyone on the Board
25 have a question?

1 MS. PERNAS: If I may do the Staff report. So as
2 mentioned previously, the demolition, when considering
3 a request for demolition of a structure with the
4 historic district, the following sections of the code
5 apply and staff comments have been provided below.

6 So if you want to follow on page 3 of your staff
7 report, I'm going to read through each one. I know
8 it's a little time-consuming, but it's important for
9 it to be on the record. I also want to state that
10 this was considered previously, and these are the same
11 conditions that were discussed and the same comments
12 that were discussed within that staff report besides
13 some updates that were just, more of the timing
14 didn't align. And I will go through and discuss that.

15 But there has no been no significant change to
16 the building that has altered its significance in the
17 historic district. Staff still recommends denial of
18 the Special Certificate of Appropriateness for the
19 demolition. It's still a contributing structure
20 within the Historic District that should be restored
21 and salvaged. And as mentioned, no alternative plans
22 have been submitted since the last two years the
23 application was previously denied.

24 So as per Section 8-107 demolition, Staff --
25 there is A. So there is certain criteria that's going

1 to be listed, and I will just go to Section D, which
2 is in addition to all the provisions of this Article,
3 the Board shall consider the following criteria in
4 evaluating applications for Special Certificate of
5 Appropriateness for demolition of designated
6 properties.

7 The degree to which the building, structure,
8 improvement or site contributes to the historic and or
9 architectural significance of the historic site or
10 district. The building is a contributing resource
11 within the Obispo Avenue Historic District. Its
12 removal will be irreversible and negatively impact the
13 historic and architectural significance of the
14 District. No change has been made to those comments.

15 Whether the building structure, improvement or
16 site is one of the last remaining examples of its kind
17 in the neighborhood, in the country or the region.
18 This building is not one of the last remaining
19 examples of its kind in the neighborhood, the county
20 or the region; this can be applied to many structures,
21 the same comment.

22 Number three, whether the loss of the building,
23 structure, improvement or site would adversely affect
24 the historic and or architectural integrity of the
25 historic site or district. The loss of the building

1 would adversely historic and architectural integrity
2 of the district and would result in one less
3 contributing structure.

4 Number four, whether the retention of the
5 building, structure improvement or site would promote
6 the general welfare of the City by providing an
7 opportunity for study of local history, architecture
8 and design or by developing an understanding of the
9 importance in value of a particular culture and
10 heritage. As the building retains much of its
11 integrity, it provides an opportunity for study of the
12 local history, architecture and design, and by
13 developing an understanding of the importance and
14 value of the particular culture and heritage.

15 Number five, whether architectural plans have
16 been presented to the Board for the reuse of the
17 property if the proposed demolition were to be carried
18 out, and the appropriateness of said plans to the
19 character of this historic site or district, if
20 applicable. And demonstrations as well as the posting
21 of a bond requirement that were sufficient funds in
22 case to carry out such plans. The applicant has not
23 provided plans for reuse of the property as part of
24 this application.

25 Whether the building, structure, improvement or

1 site poses an imminent threat to the public health of
2 safety. The building does not pose an imminent threat
3 to the public health or safety, as it has not been
4 determined to be an unsafe structure. Whether the
5 applicant has demonstrated the retention of the
6 building, structure, improvement or site, would create
7 an unreasonable, undue, economic hardship as described
8 in Section 8-115. The applicant is claiming that, and
9 I will go over those criteria once I get to these
10 items.

11 And number eight, whether there is a compelling
12 public interest requiring demolition. There is no
13 compelling public interest requiring the demolition,
14 as demolition would negatively infect the historic
15 district. As mentioned, these are the same eight
16 criteria that were considered in the previous
17 application, that were rejected by the Historic
18 Preservation Board and upheld by the City Commission.

19 As for the undue economic, a claim for undue
20 economic hardship may only be asserted in conjunction
21 with an application for historic resources department
22 with an application for a special certificate of
23 appropriateness in accordance with Section 8-106,
24 which shall be considered by the Historic Preservation
25 Board at public hearing. So that's why we are here

1 today with the special certificate for the demolition.

2 At a minimum, the applicant shall provide at the
3 time of the application, the following information for
4 all property: One, the amount paid for the property,
5 the amount paid for the property, the date of purchase
6 and the name of the previous property owner. The
7 property was purchased from Mr. Igor Nunez on October
8 1st, 2021 for a total of \$1,025,000. See executed
9 seller's document and property appraiser's information
10 attached.

11 Number two, the assessed value of the land and
12 all improvements, therein according to the two most
13 recent Miami Dade County Property Assessment records.
14 See documents attached titled, "Miami Dade Property
15 Appraiser 09-10-25. I tried to be clear on the
16 attachments, just because I know there was a lot to go
17 through, and I don't know if you can follow with
18 what's on the application on line.

19 Number three, the real estate taxes for the
20 previous two years. The applicant had provided copies
21 of the property taxes for 2021 and 2022. The annual
22 debt service, if any, for the previous two years. No
23 copies were provided. As per an e-mail from the
24 property owner, the home is financed under a hard
25 money personal loan, therefore, they do not have a

1 bank statement to offer.

2 Number five, all appraisals obtained in the
3 previous two years by the property owner or applicant
4 in connection with the purchase, financing or
5 ownership of the property. No copies were provided.
6 As per an e-mail from the property owner, they do not
7 have the appraisal prior to the purchase.

8 Number six, any property sale, listing of the
9 property for sale or rent, price asked and offers
10 received, if any. Please see the document attached,
11 titled, Zillow listing history. The property has been
12 on and off the market multiple times over the last few
13 years. According to Zillow, the lasting listing was
14 advertising a 4,550 square foot home of five bedrooms
15 and six bath, for approximately, \$2,395,000.

16 The existing building located at 1258 Obispo
17 Avenue is approximately 1,350 square feet, two
18 bedrooms, one bath. In an e-mail, the applicant
19 confirmed that the property is currently not for sale.
20 When it was on the market, the owners did receive two
21 offers for 2,200,000 but they fell through as soon as
22 they spoke with the City during due diligence period.
23 No back up materials were provided.

24 Number seven, any consideration by the property
25 owner as to profitable adaptive uses for the property.

1 No consideration as to profitable adaptive uses for
2 the property have been evidenced by the property owner
3 or the applicant.

4 Number eight, two appraisal completed by two
5 separate State of Florida certified appraisers,
6 completed within six months of the application
7 submittal. So the applicant did provide three
8 appraisals dated from 2023 to 2024. So I'll kind of
9 go over the conclusion just to wrap up and have it on
10 the record, again.

11 This is an application request desired approval
12 for the demolition of an existing residence. The
13 applicant is claiming undue economic hardship. The
14 house is a contributing resource within the Obispo
15 Historic Avenue, Historic District. The demolition of
16 any contributing resource will result in a negative
17 and irreversible impact to the District, as a
18 contributing resource will be lost.

19 After reviewing the evidence provided by the
20 applicant, the Historic Resource Department staff has
21 determined that the claim for undue economic hardship
22 has not been substantiated. Further, Staff concludes
23 that the request for the demolition of the structure
24 should be denied due to this determination. Article
25 16, the definitions of the Coral Gables Zoning Code

1 defines undue economic hardship as an exceptional
2 financial burden that would allow to the taking of a
3 property without just compensation or failure to
4 achieve a feasible economic return in the case of
5 income-producing properties.

6 When addressing claims of undue economic
7 hardship, one has to determine whether or not the
8 level of economic impact rises to the level of
9 economic hardship. A historic designation and denial
10 of the Certificate of Appropriateness application may
11 have an economic impact on a property owner, but is it
12 severe enough to become an economic hardship. In all
13 claims of economic hardship, the burden of proof rests
14 entirely on the applicant.

15 As listed above, many of the materials requested
16 have not been provided, and Staff does not believe the
17 criteria have been met.

18 Economic hardship is generally accepted as being
19 consistent with the taking of the property. The legal
20 standards for a constitutional regulatory taking
21 requires property owners to establish that he or she
22 has been denied all reasonable, beneficial use or
23 return of the property as a result of the Commission's
24 denial of a permit for alterations or demolition.
25 There is an attachment as a resource for you all to

1 look at as a reference.

2 In 2019, a Special Certificate of Appropriateness
3 for additions and the alterations to the structure was
4 reviewed and approved by the Historic Preservation
5 Board. This addition would have allowed a 3,859
6 square foot addition to the existing 1,000 and to
7 correct, the house is 1,546 square feet. And no other
8 plans for renovation, restoration or adaptive use of
9 the property have been submitted since. Historic
10 Preservation case law has strongly taken the stance
11 that the property owner is not entitled to the highest
12 and best use of the property. What has been
13 consistently and legally upheld is that there is no
14 undue economic hardship or taking, the property can
15 realize a reasonable return on investment, and whether
16 a viable use of the property remains.

17 Does a viable use for the property remain? Yes.
18 The property remains viable as a single family home.
19 The owners can continue to use the property as a
20 single family residence with the historic designation
21 in place. And if the demolition request is denied, it
22 is feasible that alterations could occur but no such
23 consideration had been given to the residents.

24 The city Commission has adopted the ad valorem
25 tax exemption incentive for property owners, that

1 would allow tax exemptions for the restoration,
2 renovation and rehabilitation of historic properties.
3 The exemption shall apply to 100 percent of the
4 assessed value of all improvements to historic
5 properties which result from the restoration,
6 renovation and rehabilitation made on or effective
7 date of this article. This would help ease the
8 economic burden the applicant is claiming. Without
9 the economic hardship claimed, there is no compelling
10 reason to improve the demolition of the residence.

11 As stated before, there has been no evidence
12 presented that supports the need to demolish the
13 property due to any material defect in the property.
14 As noted above, it is the opinion of Staff that the
15 request meets only two of the eight criteria in
16 Section 8-107(d), demolition of the City code, and
17 pursuant to this section of the code, the Board shall
18 consider the criteria. As further noted above, it is
19 the opinion of Staff, that based on the structural
20 report, the structure suffers from seven of the ten
21 defects in 8-108.B1, demolition by neglect of the City
22 Code.

23 The applicants have been aware of these
24 conditions since 2021, and no repairs have been made.
25 Therefore, based on the above and the demolition is

1 inconsistent with the Secretary of the Interior
2 standards and will result in a negative, irreversible
3 impact of the Obispo Avenue Historic District, the
4 structural report indicates the structure can be
5 repaired, and the request is not consistent with the
6 requirements of the code, Staff recommends the
7 following: A motion to adopt Staff's finding and
8 report, and to find the application has not
9 demonstrated the requirements for a Special
10 Certificate of Appropriateness for the demolition of
11 the property, and to, sorry, in reading it I got of
12 track. This needs to be reworded, I apologize.

13 So the first portion of the motion is that Staff
14 does not, to reject the claim for undue economic
15 hardship and a motion to deny the Special Certificate
16 of appropriateness for the demolition. And that
17 concludes my presentation.

18 MR. SILVA: Thank you, Ms. Pernas. Does anyone
19 on the Board have any questions for the applicants?
20 Now, I am going to open up the public hearing. Is
21 anyone here who wishes to speak for or against or on
22 Zoom as well? We have some letters that were
23 distributed to us as well.

24 MS. PERNAS: We did receive letters of support of
25 Staff's recommendation to deny the demolition. These

1 were from Karelia Carbonell on behalf of the HPACG,
2 Mr. Brett Gillis, Ms. Zully Pardo and Ms. Vicki Cerda.

3 MR. SILVA: Is there anyone on Zoom? No? So
4 seeing no one from the public, I am going to close the
5 public hearing and open for Board discussion,
6 questions, comments.

7 MR. GARCIA PONS: I did have a question for the
8 applicant. I'm sorry, I didn't catch your last name
9 although I caught your first name.

10 MR. MESTRE: Mestre.

11 MR. GARCIA PONS: So can I get confirmation on
12 two things, please?

13 MR. MESTRE: Yes.

14 MR. GARCIA PONS: One, the home was purchased in
15 October of 2021?

16 MR. MESTRE: Correct.

17 MR. GARCIA PONS: The structure report from
18 Mr. Canales, there was a second one, is from November
19 of 2021 through December of 2021.

20 MR. MESTRE: The one from Canales that showed you
21 in the presentation?

22 MR. GARCIA PONS: There were two but there was
23 one before the purchase, but there was one subsequent
24 by the homeowner, by the new homeowner, was November,
25 December of 2021.

1 MR. MESTRE: No, I have February 4th, 2023, the
2 one by Antonio Canales.

3 MR. GARCIA PONS: There is not another one from
4 11/25/21 through 12/03/21?

5 MR. MESTRE: I know there is one from before he
6 purchased.

7 MS. PERNAS: There was one included in the
8 application for the demolition in 2021 by Mr. Canales,
9 so there was a report included there that was dated
10 from 2021.

11 MR. GARCIA PONS: And it was addressed to whom?

12 MS. EBERT: To the applicant.

13 MR. GARCIA PONS: So to whom, what's the name?

14 MS. EBERT: Javier Avila.

15 MR. GARCIA PONS: Is that the applicant, is that
16 the new owner?

17 MR. MESTRE: Yes, yes it is.

18 MR. GARCIA PONS: So the owner received the
19 structure report from Mr. Canales a month after he
20 purchased the home?

21 MR. MESTRE: Correct.

22 MR. GARCIA PONS: And then the third, it's one of
23 the items, says there was no appraiser prior to
24 purchase or we weren't provided with an appraisal
25 prior to purchase; is that correct?

1 MR. MESTRE: That is correct.

2 MR. GARCIA PONS: So those three confirmed. It
3 was purchased in October for a certain in 2021. There
4 was no appraisal prior to the purchase, and the
5 structural report was commissioned, was begun, I don't
6 know if it's commissioned, and provided between
7 November and December of that year, 2021.

8 MR. MESTRE: Correct.

9 MR. GARCIA PONS: Thank you. And then one
10 question for Ms. Pernas; subsequent to the October
11 2021, notwithstanding this application, has there been
12 any COA application from this applicant to the
13 Historic Preservation Board?

14 MS. PERNAS: No.

15 MS. THROCKMORTON: Excuse me, Mr. Garcia Pons,
16 just to correct, there was a previous COA for
17 demolition. He was saying between '21.

18 MS. PERNAS: Between 2021 and today, right?

19 MR. GARCIA PONS: Correct.

20 MS. THROCKMORTON: Correct, there was an
21 application.

22 MR. GARCIA PONS: Yeah, that's right. Sorry.
23 The one that was denied.

24 MS. PERNAS: Right. Sorry. I took it as that
25 denial. Since then there has been none.

1 MR. GARCIA PONS: So I'll rephrase the question.
2 Since that application, has there been another COA
3 application?

4 MS. PERNAS: There has no other COAs requested
5 from the applicant.

6 MR. GARCIA PONS: Has there been a COA
7 application since 2021 for anything other than
8 demolition?

9 MS. PERNAS: No.

10 MR. GARCIA PONS: Thank you.

11 MS. EBERT: So this house was purchased in 2021,
12 has anyone ever lived in this house or done any
13 repairs or nothing? And there was no home inspection
14 before you bought it?

15 MS. THROCKMORTON: Ms. Ebert, if I can ask that
16 we have anybody who is answering questions, please
17 come up to the dais so that the record is clear about
18 who is answering which question.

19 MS. EBERT: I'm sorry.

20 MS. PERNAS: And just state your name and
21 address.

22 MR. AVILA: Javier Avila. What was your question
23 again?

24 MS. EBERT: My question was, so you purchased
25 this property without any home inspections before you

1 purchased it?

2 MR. AVILA: Correct. The intention was to do the
3 addition that was pre-approved by the City. Javier
4 Avila.

5 MS. SCHILD: Have there been any, is there an
6 appraisal available that is six months, within the
7 last six months.

8 MR. AVILA: That we've provided to the Historic
9 Preservation Office, multiple appraisals. I don't
10 when was the last one, but I think we've done like
11 four.

12 MS. SCHILD: I have '21 and '23.

13 MS. PERNAS: There is one from May 2024. I will
14 say this, it's been a process of getting the materials
15 in, so it was within the submittal -- at the time of
16 the submittal of the application, it was within the
17 six months but since scheduling the hearing, it's a
18 little bit off.

19 MS. SCHILD: So one of them was within six
20 months?

21 MS. PERNAS: Yes. Yes. The most recent one that
22 you had included was May 2024.

23 MS. SCHILD: And one more question. There were
24 quite a few repairs requested in the inspection report
25 of December of '21. Have any of those been

1 accomplished; the tenting, the subfloor, the walls,
2 the roof?

3 MR. AVILA: No ma'am. That's why I am here;
4 economic hardship.

5 MS. SPAIN: I just have a clarification for the
6 attorney. I think you were reading from the Historic
7 Structural Form, and you said, at the very end it
8 says, "This building lacks sufficient architectural
9 merits and historical import for the individual local
10 designation.

11 MR. MESTRE: Correct.

12 MS. SPAIN: Or to be put on the national listing
13 but it does contribute to the Obispo Avenue Historic
14 District as an example of domestic architecture from
15 the District's period of significance. That does not
16 mean that it's not historically significant. In fact,
17 that last portion of that means that it is historical
18 significant. It just means it's a contributing
19 structure within the historic district.

20 So all of the advantage of historic preservation,
21 the ad valorem, application, all of that is equivalent
22 to being individually designated. It just doesn't
23 qualify for individual designation. I just need to
24 make sure you understood, anybody reading these
25 transcripts would understand that this building is

1 historically significant as a contributing structure.

2 MR. MESTRE: Correct. I just wanted to point out
3 that it wasn't individually.

4 MS. SPAIN: That's right.

5 MR. MESTRE: Thank you, Mr. Avila. Is there any
6 other questions or any other discussion before we open
7 this up for a motion?

8 MR. GARCIA PONS: So one question for Ms. Pernas,
9 when you are reading the Staff recommendation for the
10 proposal you said for the motions, you said there was
11 a discrepancy of some kind.

12 MS. PERNAS: So motion to adopt the Staff's
13 findings and report and to find the applicant has not
14 demonstrated undue economic hardship.

15 MS. THROCKMORTON: Mr. Garcia Pons, we would like
16 a motion on the undue economic hardship as well as a
17 motion on the Certificate of Special, a COA for
18 demolition. So it may be helpful to, because you
19 could issue an SCOA with making a finding of undue
20 hardship, so you can make two separate motions on each
21 separate issue.

22 MR. GARCIA PONS: So the first one is about the
23 demolition and the economic hardship?

24 MS. THROCKMORTON: Correct.

25 MR. GARCIA PONS: And the second one is the COA

1 stuff?

2 MS. THROCKMORTON: So one is finding whether or
3 not that criteria is met for undue economic hardship,
4 the second is finding, regardless of what you find
5 about the economic hardship, if you think that there
6 should be a COA for demolition. Because you could
7 find a SCOA for demolition whether or not you find
8 there is an undue economic hardship based on those
9 other criteria.

10 MS. PERNAS: So we are recommending that you
11 reject the claim for undue economic hardship and deny
12 the Special Certificate of Appropriateness for the
13 demolition.

14 MS. THROCKMORTON: Based on all the criteria.

15 MS. PERNAS: Right, and the Staff report.

16 MS. THROCKMORTON: And the Staff report.

17 MS. SPAIN: I also think that we should point out
18 that there has been approved by this Court, in
19 previous applications, large additions to this
20 property. So that certainly, you are able to do
21 additions on the lot, and that this Board has approved
22 them. It's not a situation where it's so oddly
23 situated on the lot that it's hard to do an addition.

24 MR. SILVA: So I do want to bring up, so we are
25 looking at eight different conditions. One second.

1 So there is seven that were considered previously to
2 this, right, in relation to the Certificate of
3 Appropriateness. I don't see that anything has really
4 changed on those original seven, right? The house is
5 still the house, it's still a contributing structure
6 within the District, that had been decided. It had
7 been appealed, and the appeal was denied as well. So
8 on those seven, I am very comfortable with proceeding
9 on those seven that those are still in place and still
10 hold true. Mr. Avila?

11 MR. AVILA: Let me explain something to all of
12 you guys. So when I purchased this house, it was
13 never an intent to demolish anything. I think in an
14 e-mail we got from Anna, it said that, I knew about
15 the structural issues prior to purchasing the house,
16 and that is completely untrue.

17 If you go back to the transcripts from the
18 previous meeting with the Commission, Warren Adams
19 made it very clear, that in my meeting with him, it
20 was about two things, colonial grids and changing the
21 French doors in the back to sliding glass doors.
22 There was never a talk about demolishing anything,
23 because I didn't know at the time that I had a
24 problem. So when you talk about, when we are talking
25 about economic hardship, we are talking about the cost

1 to repair the existing structure supercedes the value
2 of the structure. At least, that's what I've been
3 told all this time that the economic hardship means,
4 or am I wrong or am I right? Can somebody explain to
5 me?

6 Because I am going to be honest, I don't think
7 anybody in here, including Ms. Pernas, knows the real
8 true meaning of the economic hardship. I think we are
9 all learning as we go right now. Let's figure this
10 out, because my understanding of what I've been told
11 is that the economic hardship is the cost to repair
12 the existing structure is worth more, it's more than
13 the structure itself.

14 MS. DUNAJ: Ms. It's the taken that deprives one
15 of reasonable use of the property, that would be one
16 way to look at it.

17 MR. AVILA: Okay. So just alone, just to fix the
18 structural repair, forget about subflooring, forget
19 about flooring, forget about electrical, plumbing,
20 paint, stucco, drywall, forget about all that. Just
21 the structural repair, I'm out one hundred and
22 something dollars. It's already worth more than the
23 structure itself.

24 So listen, you guys are going to vote however you
25 want. I already know how this is going to go. I just

1 wanted to share that with you, and best of luck to all
2 you guys.

3 MS. PERNAS: I do want to clarify that in the
4 report where it does say that the applicants did meet
5 with Warren Adams and previous staff prior to the
6 purchase, I did not mention the condition of the
7 building. I wasn't aware that Warren even knew the
8 condition of the building. I'm not sure if he even
9 stepped foot inside of the building. It's was just
10 that I knew that they had a meeting and discussed the
11 procedures and the previous approval of the property.

12 MR. SILVA: And to address your point, Mr. Avila,
13 I don't think that the undue economic hardship is a
14 simply equation like that. It's not the property
15 appraiser says that building is worth 20,000 and the
16 repairs are 175, structural, again, and that is less
17 than that, therefore there is economic hardship.
18 That's not how the ordinance is written nor is how
19 it's meant to be interpreted. And Ms. Throckmorton,
20 you can correct me if I'm wrong.

21 MS. THROCKMORTON: That's correct. In the past
22 when we've had undue economic hardship applications,
23 this Board has considered things, like, the value of
24 the property after the repairs are constructed, and
25 look at appraisals for homes that have been repaired

1 and looked at comparable homes and those appraisals.
2 So yes, I think Mr. Mestre summarized the
3 jurisprudence about taking. It's a broad and vague
4 standard; I understand that. It's not a simple math
5 equation, which can make it very difficult for people
6 to predict what is and is not an undue economic
7 hardship, and I completely sympathize and understand
8 that. Yes, I am happy to answer any other specific
9 questions.

10 MS. PERNAS: And I think that, you know, it being
11 a regulatory taking and whether or not the property
12 has any additional uses, is we have kind of already
13 approved that there has been other options of how the
14 property can be used. It's going to cost money to
15 renovate a building. It's going to happen at any
16 property. But again, if I am putting in, you may be
17 putting in \$600,000 but your return on the investment
18 when you go to put that property on the market, again,
19 you may not be making the most. You know, like it's
20 mentioned, you might not make the most money but you
21 are going to make a just, it's just a just
22 compensation that's required here.

23 And even today, just based off the appraisal that
24 was submitted to us in May, the opinion of value of
25 the property was 1.6 million dollars, that's already

1 higher than what the purchase price of the property
2 was when they purchased the building in 2021 in the
3 current condition.

4 MS. DUNAJ: And you also provide some evidence in
5 the record about what some of his Zillow listings
6 were. I think the highest was at 2.9 million, and
7 there was an offer of 2.2; it didn't go through.

8 MS. PERNAS: Right. So the Zillow listing, and
9 that's why I included that, like history. And there
10 is also a photo of what was being marketed. So we had
11 received a bunch of calls and e-mails because they
12 were concerned that we had already approved the
13 demolition. But it was the rendering of the new home
14 that was being proposed here today. And so, it was
15 being marketed as the new home at 1258 Obispo Avenue
16 at 2.56 million dollars, which when you go to the
17 property and see the 1,300, 1,500 square foot house,
18 is about \$1,700 per square foot. And for a property
19 that, you know, the proposal that I've read that they
20 are marketing, had not gone before BOA, had not been
21 before this Board either.

22 So I think if a property owner came to us because
23 they put in a request for -- or put in an offer, the
24 would call our office asking questions about it; was
25 this already approved, was the demolition approved?

1 Then we would explain that, no demolition has been
2 approved and explain the history of the process and
3 the facts of the case already.

4 MR. AVILA: So the description on the listing,
5 okay, talked about a preliminary design. It didn't
6 say that there was anything that was approved, it was
7 a preliminary design. and what we were listing on the
8 property, on the Zillow or realtor, was the actual
9 layout that had already been previously approved. And
10 what we said was, it's a preliminary design. We
11 didn't say that it was approved. There was none of
12 that in the 40-something, 100 square feet of structure
13 that was listed on there is what the proposed, the
14 preliminary design would have if it was built, that
15 was it. .

16 MR. SILVA: All right. Does anyone else have any
17 other questions?

18 MS. SPAIN: I have one question. So this house
19 was purchased and then a month later, a structural
20 report was requested; did I hear that right? Is that
21 right? I was just wondering what prompted that.

22 MR. MESTRE: My understanding is, he purchased
23 it, wanting to make the addition that had already been
24 approved. As part of that, they had to do that. And
25 that's when they found out all of the issues that

1 there was with the property.

2 And the reason they haven't done any of the
3 repairs is that the contractors that went for pricing,
4 told him, we will not work on this property the way it
5 is. We can't guarantee our safety, we will not work
6 on it.

7 MS. PERNAS: May I ask a question? Because it
8 says that they did meet with Staff prior to the
9 purchase of the property any explained the Board
10 reviews and outcomes. So I am not sure if in that
11 meeting with the previous preservation officer, if
12 they were aware of the Board's decision to defer with
13 the request of the engineer coming to the meeting.

14 MR. MESTRE: I believe and he just testified to
15 that a minute ago, was they talked about two different
16 things, and they were related to doing the addition
17 and keeping the integrity of the architectural design.
18 So I think that if he had known that there was a
19 structural issue, he would have never --

20 MS. PERNAS: Right, but he was aware that there
21 was a proposal for an addition of the property, on the
22 property, which is the discussion that was had before
23 the Board. So Warren did explain to them about that
24 addition being in process with the Board.

25 MR. MESTRE: He knew that there was an addition

1 that was approved.

2 MS. PERNAS: Well, in 2019, but there was one
3 more recently that was a deferred in July. So were
4 you aware of the deferral in July, I guess is my
5 question.

6 MR. GARCIA PONS: That would be a matter of
7 public record, the meeting. The meeting results and
8 the agenda --

9 MS. PERNAS: Oh yes.

10 MR. GARCIA PONS: -- would be a matter of public
11 record.

12 MS. PERNAS: Oh, yes.

13 MR. SILVA: All right. So back to the Board.

14 MS. SCHILD: I make a motion to reject the claim
15 of economic hardship because it's not been established
16 that the owner has been denied all reasonable
17 beneficial use or return on the property.

18 Oh, and a second one two? Oh, two different
19 ones?

20 MS. THROCKMORTON: I would suggest doing two
21 separate motions, if that's okay.

22 MS. SCHILD: Okay.

23 MS. DUNAJ: And on this motion, as a friendly
24 amendment, could you include that you are adopting
25 Staff's findings in the report?

1 MS. SCHILD: Yes.

2 MR. SILVA: Does that mean that you are going to
3 second, Ms. Dunaj?

4 MS. DUNAJ: I will second the motion.

5 MR. SILVA: So we have a motion by Ms. Schild and
6 a second by Ms. Dunaj. Any other discussion?

7 Please call the roll.

8 THE SECRETARY: Ms. Alvarez.

9 MS. ALVAREZ: Yes.

10 THE SECRETARY: Ms. Schild.

11 MS. SCHILD: Yes.

12 THE SECRETARY: Mr. Garcia Pons?

13 MR. GARCIA PONS: Yes.

14 MS. SPAIN: Yes.

15 THE SECRETARY: Ms. Ebert?

16 MS. EBERT: Yes.

17 THE SECRETARY: Ms. Dunaj.

18 MS. DUNAJ: Yes.

19 THE SECRETARY: And Mr. Silva.

20 MR. SILVA: Yes.

21 MS. THROCKMORTON: Is there a motion regarding
22 the issuance of the SCOA for demolition.?

23 MS. SCHILD: I can continue, if you want. I make
24 a motion to deny the issuance of the Special
25 Certificate of Appropriateness for demolition.

1 MR. GARCIA PONS: And?

2 MS. SCHILD: And adopt the Staff findings in
3 their report.

4 MR. GARCIA PONS: And deny the issuance of a
5 Special Certificate of Appropriateness?

6 MS. EBERT: Yes, that's what she said.

7 MR. GARCIA PONS: Design proposal, and it's two.

8 MS. SCHILD: Both design or just the demolition?

9 MR. GARCIA PONS: I thought I just heard one, and
10 I heard that you did both of them.

11 MS. DUNAJ: She did do both.

12 MR. SILVA: So we have a motion, do we have a
13 second?

14 MS. DUNAJ: I will second.

15 MR. SILVA: Motion by Ms. Schild, second by
16 Ms. Dunaj.

17 Can we call the roll, please?

18 THE SECRETARY: Ms. Ebert.

19 MS. EBERT: Yes.

20 THE SECRETARY: Ms. Spain.

21 MS. SPAIN: Yes.

22 THE SECRETARY: Ms. Dunaj.

23 MS. DUNAJ: Yes.

24 THE SECRETARY: Ms. Alvarez.

25 MS. ALVAREZ: Yes.

1 THE SECRETARY: Mr. Garcia Pons.

2 MR. GARCIA PONS: Yes.

3 THE SECRETARY: Ms. Schild.

4 MS. SCHILD: Yes.

5 THE SECRETARY: And Mr. Silva.

6 MR. SILVA: Yes. Both motions pass unanimously.

7 MS. SCHILD: And I have a comment, if you would
8 allow me. Would it be appropriate to ask the Historic
9 Preservation Staff and the building officials to
10 inspect the property, that was included in the report.
11 The interior and exterior to establish the condition,
12 the current condition of the property.

13 MS. SPAIN: That's a great idea. I have done
14 that multiple times.

15 MS. PERNAS: Yes, and it was included in the
16 report and in the previous reports as well.

17 MR. SILVA: Thank you all for your time.

18 MR. MESTRE: Thank you.

19 (End of excerpt of meeting.)
20
21
22
23
24
25

REPORTER'S CERTIFICATE

I, Avonne White, a Notary Public and Reporter for the State of Florida, do hereby certify that the foregoing is a true and accurate transcript of the proceedings as taken stenographically by and before me at the time, place, and on the date herein before forth.

I DO FURTHER CERTIFY that I am neither a relative, nor employee, nor attorney, nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.

Avonne White

Notary Public State of Florida

Commission No.: HH489503

Commission Expires: February 6th, 2028