

**IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA**

DANIEL J. STERMER, AS Receiver,
OF THE HERON POND CONDOMINIUM
ASSOCIATION, INC.,

CASE NO. CACE 24-015112

Plaintiff,

vs.

HERON POND CONDOMINIUM
ASSOCIATION, INC., et al.,

Defendants.

_____ /

NOTICE OF FILING

COMES NOW the undersigned as counsel for the City of Pembroke Pines, a non-party to the instant action, and files the attached correspondence dated April 1, 2025, addressed to the Receiver appointed in this action, and states as follows:

1. The attached correspondence has been drafted by City of Pembroke Pines Vice Mayor Thomas Good, Jr., in his individual capacity and as the District 1 Commissioner, and is hereby submitted on his behalf.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Notice of Filing has been filed and served via the Statewide E-Filing Portal to all recipients listed in the Portal's service list this 2nd day of April 2025.

GOREN, CHEROF, DOODY & EZROL, P.A.
Counsel for non-party City of Pembroke Pines
3099 E. Commercial Boulevard, Suite 200
Ft. Lauderdale, FL 33308
Phone: (954) 771-4500

/s/ Samuel S. Goren

CASE NO. CACE 24-015112

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April 1, 2025

SUBMITTED VIA ELECTRONIC MAIL

Daniel J. Stermer, Receiver
Heron Pond Condominium Association, Inc.
8400 SW 1st Street
Pembroke Pines, FL 33025
heronpondreceiver@DSIConsulting.com

Re: Heron Pond Condominium Association, Inc. / Pending Motion for Summary Judgment for Termination of Condominium and Approval of Plan of Termination / Case No.: CACE 24-005243 (07)

Dear Receiver Stermer,

I write this letter to you in my individual capacity as the City of Pembroke Pines district commissioner for District 1. This letter shall also serve as a supplement to the letter I previously filed with Chief Judge Tuter related to this matter on August 8, 2024 (attached hereto as **Exhibit "A"**).

As you know, Heron Pond is located entirely within the Commission District that I have represented since 2018. As I have communicated to you and to others in our past discussions, and as articulated in my letter to Judge Tuter, I care very deeply about the well-being of all former residents of Heron Pond. Further, I remain particularly concerned and steadfast in my commitment to the approximately twenty-five (25) unit owners who resided in and claimed Heron Pond as their homestead (the "Homesteaded Owners").

The Homesteaded owners are very important to me as an elected public officer and, in light of the proposed Plan of Termination you have preferred to the Court, I respectfully request that this letter be added to and considered as part of the Motion for Summary Judgment currently pending before Judge David Haines on May 1, 2025.

The vast majority of unit owners at Heron Pond had a different relationship to the Property as investor-owners than the Homesteaded Owners. I am the voice and advocate for those who have not been heard. I am speaking for the Homesteaded Owners, wherein Heron Pond was not an economic basis for their pecuniary gain, but the foundation for their lives, their families, and their livelihood.

Daniel J. Stermer, Receiver
Heron Pond Condominium Association, Inc.
April 1, 2025
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Upon reviewing your proposed Plan of Termination, I feel compelled to reiterate the request I posed in my letter to Judge Tuter that you provide within your Plan of Termination to offer additional and some measurable special distributions specifically to the Homesteaded Owners to protect such Homesteaded Owners in advance of payment to the investor-owners and other non-resident owners.

The basis for my request is based on the significant impact and detrimental loss that the Homesteaded owners have experienced through no fault of their own. They have lost their right to maintain their homestead within Broward County and the City of Pembroke Pines and have been forced to relocate in a time of record-high property values and interest rates with very limited affordable housing options throughout South Florida. As my constituents, I know these Homesteaded Owners. They are hard-working, decent people who were grateful to own and enjoy their homes at Heron Pond. I know that this relocation has been incredibly trying for many of them.

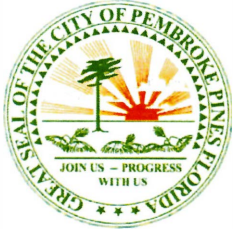
In light of the foregoing, I respectfully and sincerely request that you amend the current Plan of Termination to create a class of condo owners at Heron Pond composed entirely of the Homesteaded Owners that will be treated preferentially and differently than investment owners so as to protect such homesteaded property owners in advance of payment to owner-investors and other non-resident owners upon the sale of Heron Pond. The different levels of harm in terms of financial loss, displacement, and compensation to the Homesteaded Owners gives reason to consider differentiation between the investor-owners and the Homesteaded Owners.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Thomas Good, Jr.', with a stylized flourish at the end.

Thomas Good, Jr.
Vice Mayor

cc: The Honorable David A. Haimes
Mayor Angelo Castillo
Members of the City Commission
Charles F. Dodge, City Manager
Samuel S. Goren, City Attorney
Michael Stamm, Jr., Assistant City Manager/Director of Planning and Economic
Development



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EXHIBIT "A"

August 8, 2024

Honorable Jack B. Tuter, Jr.
Broward County Courthouse
201 SE 6th Street
Courtroom WW17150
Fort Lauderdale, FL 33301

Re: Heron Pond Condominium Association, Inc. (Petitioner) vs. Heron
Pond Association, Inc. (Respondent)
Case No.: CACE 24-005243 (07)

Dear Judge Tuter,

I write this letter to Your Honor in my individual capacity as the District commissioner for District 1 in the City of Pembroke Pines Florida. I also write this letter for and on behalf of the citizens, residents and condominium property owners who live in the Heron Pond community who are currently facing serious consequences in their lives, given the Order of the City's Fire Marshal and the Chief Building Official ("CBO") to vacate all remaining buildings at the Heron Pond development effective as of 8/29/2024. Your Honor is aware of this matter given the hearing you conducted on 7/25/2024.

Please know that there are approximately 25 unit owners who are homesteaders and who occupy their units. I am deeply concerned about those residents at Heron Pond who are owners and occupants with mortgages and other ancillary obligations. They will be compelled to leave Heron Pond based on the serious health and safety issues determined by an independent engineer and jointly by the City's professional analysis of the CBO and Fire Marshal. Furthermore, there are reservations that the property can be restored to original conditions leaving several resident owners without their home.

1. I am uncertain if any resident owner will be able to make an insurance claim for this loss, which would help to cover ongoing mortgage payments after being officially displaced by no-fault of the homeowner. To the extent that there may be no legal basis to pursue a claim against their insurance companies, the only other option would be for such resident homeowners to seek their own legal counsel which they more likely cannot afford to compensate let alone pay the continuing obligations of a potential second rental apartment or a home for themselves and their families;

2. I respectfully ask that this Court to intervene and provide relief, if it all possible, directing the Receiver to expend and pay for from available future proceeds, and/or a future sale of the property, to provide for housing expenses for the sustainability of the buildings, to the homesteaded property owners who are now suffering to such homesteaders in the form of staying the payment of their existing mortgage obligations and until a formal and final resolution can be determined by this Honorable Court as to the disposition of Heron Pond;

3. There are a very limited number of homestead owners at Heron Pond. There has never been a chance for them to be a part of the condo board of directors. Recognizing that the Board of Directors failed to perform their obligation to provide sufficient maintenance for the sustainability of the buildings, the homesteaded property owners are now suffering significantly more harshly than those who were investors. In the current climate of property increasing values (not including land), affecting the homesteaded owners, they are now all suffering from a loss of a real asset value. Further, such homesteaded owners are also losing more than just an investment. Their right to maintain their homestead within Broward County and in the City of Pembroke Pines is in jeopardy;

4. In the absence of any governing documents of the condo association which would outline rational procedures in these troubling circumstances, I respectfully ask this Court to create a class of condo owners at Heron Pond that could be treated preferentially and differently than investment owners so as to protect such homesteaded property owners in the future, upon the sale of the property by the Receiver and as may be directed by this Honorable Court. Perhaps then, upon a future sale, an allocation could be made to preferentially protect such homesteaded owners now, and in the future in advance of payment to investors and other non-resident owners;

5. I attended the Zoom homeowners' meeting on Tuesday, 7/30/2024 conducted by Receiver Stermer that Your Honor ordered to occur. At that meeting, Receiver Stermer indicated that there would be forbearance for the owners to pay their special assessments due in August and December. However, it was also discussed that these assessments were not being waived or forgiven, but just deferred. I further respectfully ask that you consider and characterize all special assessment payments to be forgiven for those limited number of homesteaders as I otherwise describe them in this letter.

6. Further, I respectfully also ask the Court to consider providing extended periods of time for homestead tax portability, so that such homesteaded owners can transfer their portability rights in their properties to another property now or in the extended future, in the event that such homeowners can acquire a new home for themselves and their families.

I have great respect for how this Court strives to achieve equity and fairness in its rulings. The different levels of harm in terms of financial loss, displacement and compensation to the Heron Pond homeowners gives reason to consider differentiation between investor-owned and homestead-owned

Honorable Jack B. Tuter, Jr.
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properties to ensure fair treatment in the context of factual circumstances. I humbly ask this Court to consider all options described above to protect, not just the health, safety and welfare of those individuals who must leave the property as ordered by the City's Fire Marshall and CBO, but also to help these families, some who are on fixed incomes, in the near and midterm to financially protect them and their future well-being in whatever ways may be legally possible via this Court's jurisdiction in this important matter.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'T. Good', with a stylized flourish.

Thomas Good, Jr.
Vice Mayor

cc: Mayor Angelo Castillo
Members of the City Commission
Charles F. Dodge, City Manager
Samuel S. Goren, City Attorney
Michael Stamm, Jr., Assistant City Manager/Director of Planning and Economic Development
Daniel J. Stermer, Receiver/Managing Director, Development Specialists, Inc.