

# Miami Herald

## **Miami-Dade judge approves pursuing sale of Surfside property that is site of condo collapse**

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By Jay Weaver

Hundreds of victims of the deadly collapse of a Surfside condo building could expect to see compensation in the near future, as a Miami-Dade Circuit judge Wednesday approved the planned sale of the oceanfront property, valued at more than \$100 million, as well as the disbursement of millions more in insurance payments for property and personal damages.

Circuit Judge Michael Hanzman told a courtroom packed with civil attorneys that he wanted to start the process of putting the site of the partially collapsed 12-story Champlain Towers South up for sale immediately. He also wants the court-appointed receiver for its condominium association to begin disbursing millions of dollars in insurance payments to former owners of the 136-unit building.

Hanzman ruled out the possibility of converting the entire Champlain property to a memorial site because any potential sale for that purpose would not generate much money for the victims of the collapse.

“This is a case where there is no amount of money in the world that could account for the loss and suffering of these victims,” Hanzman told about 50 lawyers. “This is going to be an extremely difficult case. This case is going to move at rapid speed.”

The judge also put a class-action case filed against the Champlain condominium association on a fast track and warned lawyers involved in a leadership committee not to expect to receive any contingency fees for their

work and that he would consider approving payments for their hourly rate and expenses.

Hanzman said he wanted to “monetize that property” as quickly as possibly so that the victims participating in the class-action case or in individual lawsuits can receive immediate compensation for relocation costs, loss of property and personal injury or death. Since the June 24 collapse of about half of the Champlain condo units, at least 95 people have been declared dead while a dozen more are still missing. Miami-Dade County has led the rescue and recovery efforts at 8777 Collins Ave.

With his swift actions Wednesday, the judge authorized the Champlain condo board receiver, Michael Goldberg, to begin the process of selling the property. There have already been inquiries to buy the property for between \$100 million and \$110 million, according to the court record, but the offers could go higher.

Goldberg said he agreed with the judge’s approach and wanted to pursue a “stalking horse” with an initial bid and then open up the process to competitive bids.

On another track, Goldberg said he has already received a donation of \$1 million from Miami civil attorney John Ruiz and that he has started to distribute some of that money to 20 of the 24 Champlain Towers South survivors who requested relocation benefits. He said four others were rejected, including a woman who had rented in the condo tower but left in January months before the collapse and three owners who had been renting their units to others.

Goldberg said there is a total of \$48 million of insurance coverage held by the Champlain condo association — \$30 million for property damage and \$18 million for personal injury.

He identified a handful of insurers who have already paid or made commitments to pay the full personal injury coverage, while one other insurer appears ready to commit to the full property damage coverage.

At the same time, Paul Singerman, another attorney representing the receiver, requested and got the judge’s approval to disburse \$2.4 million in deposits that some Champlain condo owners had already made towards a \$15 million assessment for planned structural, mechanical and electrical repairs on the

building. That assessment was meant to cover the cost of Champlain's 40-year recertification required by Miami-Dade County. It was moving forward in the months before the partial collapse of the tower.

Goldberg said the Champlain tragedy makes this case like no other, saying he has been receiving calls from survivors and relatives of deceased victims who are "extremely sad."

Hanzman acknowledged that the case was "heart-wrenching."

"It's going to take a lot of hand holding, but I know you're up to the task," Hanzman told Goldberg.

In addition, the judge advised the lawyers in the courtroom that he wanted to establish a leadership committee for the class-action case by Friday. Miami attorney Harley Tropin, who is heading the group, said he would be able to meet that deadline.

Hanzman made it clear that none of the lawyers working on the class-action case should expect to receive any contingency fees as they normally do on the scale of 30 percent or higher in typical personal injury claims. The judge said he would be willing to consider covering their hourly rate and costs at the end.

"There is no legal right to payments of any type for services rendered in this [class-action] case," Hanzman said, emphasizing that he wanted as much of the recovered insurance and other proceeds to go to the Champlain victims.

There are two tracks for the class-action case — property and personal injury claims. The latter claims will be more challenging to sort out because the victims in the Champlain tower collapse have varied backgrounds and ages.

Those who opt out of the class action can pursue individual claims. So far, more than 30 negligence lawsuits have been filed against the Champlain Towers South's condo association and other defendants.