

# COMMERCIAL OBSERVER

## Construction of Eighty Seven Park Condo Led to Surfside Collapse: Suit

*Developer David Martin built the 18-story condo next door to the Champlain Towers South*

*By Julia Echikson  
November 17, 2021*

The construction of the luxury **Eighty Seven Park** highrise next door to the [Champlain Towers South](#) in Surfside, Fla., led to the condominium building's deadly collapse in June, a class-action lawsuit filed late Tuesday alleges.

The developer, **David Martin's Terra**, pushed ahead with the project, ignoring warnings about the damage it was causing to the Champlain South building, according to the civil suit.

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"For the sake of greed, speed, or, most likely, both, [the defendants] time and again defaulted to the least expensive, but most disruptive and most dangerous, practices for its Eighty-Seven Park site-preparation work," the 164-page complaint states.

The plaintiffs, surviving residents and victims' families, are going after one of Miami's most prominent developers, presumed to be deep-pocketed. Previous

lawsuits had mostly revolved around the failures of the Champlain South's condo association.

Prior to the collapse that killed 98, Eighty Seven Park marked a milestone for Terra. The 18-story building was the developer's first oceanfront project, for which it enlisted world-renowned, Pritzker-winning architect **Renzo Piano**. Tennis legend **Novak Djokovic** [once owned](#) one of the building's 66 apartments.

The suit accuses Terra of encroaching dangerously close to the Champlain South building during the construction of Eighty Seven Park, which occurred between 2015 and 2020. The group purchased a public walkway between the two structures to "add almost a half acre to the footprint" of the development — coming within 10 feet of Champlain's exterior foundation wall and support columns.

Terra built Eighty-Seven Park at an angle, which caused water to seep into the Champlain building, corroding its "structural supports," per the suit.

Drilling, allegedly, also played a role in weakening Champlain's structure. Terra chose the most intrusive way to install sheet piles 40 feet deep into the ground, despite its contractors offering less invasive — but costlier — methods, according to the complaint. Workers haphazardly monitored the drilling, which allegedly exceeded "acceptable and safe limits."

Residents of Champlain South had complained about experiencing strong tremors coming from the neighboring construction. The Radulescu family, of which two members died in the tragedy, wrote in an email to Terra's construction manager, concerned their "lives will be in danger."

The defendants "failed to treat the vibrations as a critical safety issue putting people's lives at risk," the suit alleges.

Terra denies the charges. "The construction of Eighty Seven Park did not cause or contribute in any way to the tragic events of June 24, 2021, notwithstanding unfounded allegations to the contrary," **David Weinstein**, an attorney representing the developer, said in a statement.

While the suit targets Terra, Champlain South had issues of its own. For years, the condo association [had been putting off repairs](#), which at the time of the catastrophe amounted to \$15 million.

In 2015, a Champlain South resident, **Matilde Zaidenweber**, sued the condo association for \$15,000 over water damage in her unit, court records show. A judge dismissed the suit three years later.

“Champlain Towers South was plagued for decades by flooding and other water intrusion issues on its pool deck, privacy wall and parking garage. These issues were compounded by a defective design, defective construction and lack of proper maintenance,” Weinstein, the attorney, noted.

The suit also names the contractors Terra hired as defendants, including engineering firms **NV5** and **DeSimone Consulting Engineers**.

Also named as defendants, within Champlain South’s own camp, are its condo association, the engineering firm the association had hired to perform safety inspections, **Morabito Consultants**, and the law firm representing the association, **Becker & Poliakoff**.

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