JAMES REYES
City Manager

P.O. BOX 330708
MIAMI, FLORIDA 33233-0708
(305) 250-5400
FAX (305) 250-5410

August 11, 2026

Via Certified US Mail and/or
Hand Delivery / Posting on Premises

The Club at Brickell Bay Plaza Condominium Association, Inc.
1200 Brickell Bay Drive, Suite 1400
Miami, Florida 33131

SKRLD, Inc.
Registered Agent
The Club at Brickell Bay Plaza Condominium Association, Inc
201 Alhambra Circle, 11th Floor
Coral Gables, Florida 33134

Re: Improper usage of Certificates of Use
Improper usage of Business Tax Receipt
Insufficient Certificate of Occupancy for current usage
Matter No. 26-2004

Dear Sir or Madam;

You are currently in possession of two (2) City of Miami ("City") Certificates of Use ("CU") and a Business Tax Receipt ("BTR"). Further, the building structure has a Certificate of Occupancy ("CO") issued by the City Building Department for usage as a condominium. In 2007, a condominium shell CU was issued for 643 residential condominium units in the building structure. In 2011 a second CU was issued to allow for thirty (30) hotel units. The limited amounts of hotel units did not require a change to your issued CO per the Florida Building Code.

The City has received numerous complaints over the past months regarding short-term / lodging rental in excess of the 30 units. Your building staff has been instructed to refuse entry to City inspectors sent to investigate these complaints, as we are constantly turned away. While such tactics may lengthen the time of the City's investigation, it will in no way cause it to stop. Based upon our preliminary investigation, there appear to be over 300 "vacation" rentals available in the building. This is a violation of your CU's, BTR and CO. While you are located in a Transect Zone that allows lodging by right, you may only act as a lodging establishment in the capacity allowed by both your CU and CO. If more than 25% of your building units are being used as public lodging,

of which a short-term or vacation rental qualify, the entirety of the building must comply with the Florida Building Code Hotel standards. Your building was not issued a CO under the Florida Building Code standards for hotel usage and therefore is currently in violation of all issued licensures from the City.

Your current City BTR for Hotel is on hold due to your failure to provide the DBPR license number as required. State DBPR records indicate a "timeshare" reservation program (RE1038) since 2003 for which we are unaware of any City or County DERM approval and a Condominium Project license (PR69662). The City has also verified there are 2 Vacation Rental licenses for units that are not part of the approved 30 Hotel units and a general one for vacation rental, not hotel (CND2333559). The City has no record of any application for a vacation/short-term rental license with the City.

The following definitions and requirements are relevant to your situation:

Florida Statutes

Condominium is defined as a, "form of ownership of real property created pursuant to this chapter, which is comprised entirely of units that may be owned by one or more persons, and in which there is, appurtenant to each unit, an undivided share in common elements." *Section 718.103(11), Florida Statutes.*

Residential condominium is defined as a, "condominium consisting of two or more units, any of which are intended for use as a private temporary or permanent residence, except that a condominium is not a residential condominium if the use for which the units are intended is primarily commercial or industrial and not more than three units are intended to be used for private residence, and are intended to be used as housing for maintenance, managerial, janitorial, or other operational staff of the condominium. With respect to a condominium that is not a timeshare condominium, a residential unit includes a unit intended as a private temporary or permanent residence as well as a unit not intended for commercial or industrial use. With respect to a timeshare condominium, the timeshare instrument as defined in s. 721.05(35) shall govern the intended use of each unit in the condominium. If a condominium is a residential condominium but contains units intended to be used for commercial or industrial purposes, then, with respect to those units which are not intended for or used as private residences, the condominium is not a residential condominium. A condominium which contains both commercial and residential units is a mixed-use condominium and is subject to the requirements of s. 718.404. *Section 718.103(26), Florida Statutes.*

Transient public lodging establishment is defined as, "means any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests more than three times in a calendar year for periods of less than 30 consecutive days or which is

advertised or held out to the public as a place regularly rented to guests for periods of less than 30 consecutive days." *Section 509.013((4)(a)(1), Florida Statutes.*

Nontransient public lodging establishment is defined as, "any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests for periods of at least 30 consecutive days or which is advertised or held out to the public as a place regularly rented to guests for periods of at least 30 consecutive days." Section 509.013(4)(a)(2), Florida Statutes.

509.032
Section 509.242, Florida Statutes:

> (1) A public lodging establishment shall be classified as a hotel, motel, nontransient apartment, transient apartment, bed and breakfast inn, timeshare project, or vacation rental if the establishment satisfies the following criteria:
>
> (a) *Hotel.*—A hotel is any public lodging establishment containing sleeping room accommodations for 25 or more guests and providing the services generally provided by a hotel and recognized as a hotel in the community in which it is situated or by the industry.
>
> ***
>
> (c) *Vacation rental.*—A vacation rental is any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family, two-family, three-family, or four-family house or dwelling unit that is also a transient public lodging establishment but that is not a timeshare project.
>
> ***
>
> (2) If 25 percent or more of the units in any public lodging establishment fall within a classification different from the classification under which the establishment is licensed, such establishment shall obtain a separate license for the classification representing the 25 percent or more units which differ from the classification under which the establishment is licensed.

It is clear that your building is being operated a transient public lodging establishment in violation of Florida Statutes, the Florida Building Code and the laws of the City of Miami. This operation creates a significant life safety issue as your building is not approved for fire, life safety or disability requirements as provided for in the relevant codes. As such, you must cease any and all rental operations over the 30-unit limit existent in your 2011 CU. If you wish to change usage to more lodging rentals, you may do so through application to the City's Building, Zoning and Planning Departments.

All illegal vacation / lodging rentals in violation of both State and local law must cease immediately. Failure to do so will result in action to revoke any issued or pending Certificates of Use, Business Tax Receipts and Certificate of Occupancy as well as any other legal action, including actions in Circuit Court. Please contact me at the number or email addresses listed below within 10 days to discuss this issue.

Thank you for your attention to this matter.

Respectfully;

Barbie Hernandez, MPA
Assistant City Manager
City of Miami, Florida
444 SW 2 Avenue, 10th Floor
Miami, Florida 33130
Email: Operez@miamigov.com
Email: Bahernandez@miamigov.com

cc:
James Reyes, City Manager, City of Miami, Florida
Natasha Colebrook-Williams, Deputy City Manager, City of Miami, Florida
George K. Wysong, III, City Attorney, City of Miami, Florida

attachments

26-0878494

LICENCE # 232 9202 CONDO RESORTS

City of Miami

CERTIFICATE OF USE

328754 \ 747412 \ 196397

1102 4794 2

INSTRUCTIONS

1. Do not operate the business until a Certificate of Use, an Occupational License and, if applicable, a Certificate of Occupancy are issued.
2. For inspection service: Call from 9 am - 4 pm, the day before the inspection is needed.
3. This inspection fee is not refundable.
4. Building must be open to all inspectors.
5. **When all the required inspections have been approved, the applicant must bring this Certificate of Use form to the Office of Zoning.**
6. A reinspection fee will be assessed if the inspector is unable to gain access.
7. A sign permit is required for all signs.
8. Inspectors will note any major items inspected, but not listed, on the record of inspections, and also rejections.
9. To avoid unnecessary delay in processing applications and reinspections, please call when work is completed. Also make sure inspectors gain access to your particular place of business.
10. Inspection fee receipt and record of inspection must always be available to the inspectors.

95681

Building Inspection	305-416-1100	Health/Hotel and Restaurant Dept.	1-850-487-1395
Electrical Inspection	305-416-1100	Code Enforcement Inspection	(See Below)
Mechanical Inspection	305-416-1100	North Office	305-329-4820
Plumbing Inspection	305-416-1100	Central Office	305-329-4800
Fire Inspection	305-416-1600	South Office	305-329-4770

TO BE COMPLETED BY APPLICANT

1. Business Name: 2. Date 11.10.11

3. Address of Business, Including suite or space number and zip code:

4. Mailing Address: (If Different)

5. Business Telephone No: 6. Emergency Telephone No: 7. Business Owner or Agent:

ZNG

8. Zone: T6-48A-O Date: 7/11/11 Inspectors Initials:

Chief Zoning Inspector: FOC

BLDG

Fire Zone: Type of Const:

Occ. Classification: # of Stories:

FPB

Dist. Code:	Night Insp.	Shell	Occ. Load	Bldg. Protection	Corridor	C.U. Exempt
[26]	☐ Yes ☐ No	☐ Yes ☐ No		1 2 3 4	I/E	☐ Yes ☐ No

ZNG

Approved Use: Hotel Sq. Ft./ Units or Seat: 30 units

Restrictions: 14 specific units attached

FPB

Usage Codes: 06

Property Class: 891

OFFICE USE ONLY

C.O. Number. Certificate No: 111016 Date Receipt No. 4/01/11

I have read the application and I do freely and voluntarily state that the statements and information contained here is true and correct.

Signature of Owner/Agent Date

D | BZ/IS 416 Rev. 07/06

Distribution: White - Owner Agent; **Canary** - Owner/Agent (after a certificate number is issued); **Pink** - Occupational Licenses; **White Card** - Office of Zoning.

1200 Brickell Bay Dr.

RECORD OF INSPECTIONS

INSTRUCTIONS:
1. This card must be prominently displayed on the site.
2. When all categories of inspection have been approved for use; the owner, agent or tenant should submit this form to the Office of Zoning located at Miami Riverside Center, 4th Floor, 444 S.W. 2 Ave, Miami, FL 33128

	INSPECTION(S)	DATE	COMMENT(S)	INSPECTOR
CODE ENFORCEMENT				
	FINAL	02/15/11	OK 30 UNITS ONLY	
BUILDING				
	FINAL	2.16.11	OK	
PLUMBING				
	FINAL	2.16.11	OK	
MECHANICAL				
	FINAL	2.16.11	OK	
HEALTH/HOTEL RESTAURANT				
	FINAL	4/20/11	OK	
FIRE PREVENTION		2/15/14	MUST SPEAK W/FIRE MARSHALL CHIEF	
		1/01/0	JUAN. MEIZOSO 305-416-1678	
	FINAL	3/22/11	OK	
ELECTRICAL				
	FINAL	2.16.11	OK	

PERM/MARIATUR 02-14-11 Converting (30) apartment units into (30) Hotel units.

City of Miami
CERTIFICATE OF USE

11024742
925.15

WAIT 3 BUSINESS DAYS BEFORE CALLING FOR INSTRUCTIONS

1. Do not operate the business until a Certificate of Use, an Occupational License and, if applicable, a Certificate of Occupancy are issued.
2. For inspection service: Call from 9 am - 4 pm, the day before the inspection is needed.
3. This inspection fee is not refundable.
4. Building must be open to all inspectors.
5. **When all the required inspections have been approved, the applicant must bring this Certificate of Use form to the Office of Zoning.**
6. A reinspection fee will be assessed if the inspector is unable to gain access.
7. A sign permit is required for all signs.
8. Inspectors will note any major items inspected, but not listed, on the record of inspections, and also rejections.
9. To avoid unnecessary delay in processing applications and reinspections, please call when work is completed. Also make sure inspectors gain access to your particular place of business.
10. Inspection fee receipt and record of inspection must always be available to the inspectors.

NW 2 AVE
8 ST
DERROTA

D.E.R.M
Location: 701 N.W 1 Court
Phone: (305) 372-6899

Building Inspection	305-416-1100	Health/Hotel and Restaurant Dept.	1-850-487-1395
Electrical Inspection	305-416-1100	Code Enforcement Inspection	(See Below)
Mechanical Inspection	305-416-1100	North Office	~~305-329-4820~~
Plumbing Inspection	~~305-416-1100~~	Central Office	305-329-4800
Fire Inspection	305-416-1600	South Office	305-329-4770

TO BE COMPLETED BY APPLICANT

1. Business Name: EXCUTIVE CORPORATE RENTAL LLC ECR
2. Date
3. Address of Business, Including suite or space number and zip code: 1200 BRICKELL BAY DRIVE MIAMI, FL 33139
4. Mailing Address: (If Different) 10 VENETIAN WAY 2004, MIAMI FL 33139
5. Business Telephone No: 786 368 4422
6. Emergency Telephone No: 786 368 4422/23
7. Business Owner or Agent: SEBASTIAN HOLMGATEN

ZNG

8. Zone: T6-48A-O
Date: 2/11/11
Inspectors Initials:
Chief Zoning Inspector:

BLDG

Fire Zone:
Type of Const:
Occ. Classification:
# of Stories:

FPB

Dist. Code:	Night Insp.	Shell	Occ. Load	Bldg. Protection	Corridor	C.U. Exempt
20 [ ][ ][ ]	☐ Yes ☐ No	☐ Yes ☐ No		1 2 3 4	I/E	☐ Yes ☐ No

ZNG

Approved Use: HOTEL
~~Sq. Ft.~~ Units or ~~Seat~~: 30 UNITS
Restrictions: SPECIFIC UNITS ATTACHED

FPB

Usage Codes: 06
Property Class: 991

OFFICE USE ONLY

C.O. Number.
Certificate No.
Date Receipt No.

I have read the application and I do freely and voluntarily state that the statements and information contained here is true and correct.

Signature of Owner/Agent _____ Date ___|___|___

D | BZ/IS 416 Rev. 07/06

Distribution: White - Owner Agent; **Canary** - Owner/Agent (after a certificate number is issued); **Pink** - Occupational Licenses; **White Card** - Office of Zoning.

DERM

PLAN REVIEW

FINAL

APPROVAL

DEPARTMENT OF ENVIRONMENTAL
RESOURCES MANAGEMENT

CORE REVIEWER (PRINT): MARIA TUR

SIGNATURE [signature] DATE 02-14-11

Converting (30) Apartment units into (30) hotel units.

ID: *2011-OL-01084*

Contact Name: Sebastian Armenter

Contact Phone: 7863084422

Folio: 01-4149-086-0001

App. Name: Executive Corporate Rental LLC

Date: 14-FEB-2011

Reviewer: Maria Tur

City of Miami

BUILDING DEPARTMENT VERIFICATION
OF TYPE OF BUILDING PERMIT REQUIRED FORM

Please contact : Mariano Fernandez of Maurice Pons in corridor "B"

PERSON REQUESTING VERIFICATION:

NAME: _____

DATE: _____

PRIOR USE: Residential

PROPOSED USE: Hotel Lodging some units NOT ALL

PROPERTY ADDRESS: ~~10200~~ 1200 Brickell ~~Ave~~ BAY DRIVE

PROCESS / PERMIT #: _____

PLEASE INDICATE WHICH OF THE FOLLOWING PERMITS (IF ANY) IS / ARE REQUIRED FOR APPLICANT TO CONTINUE THE PROCESS

_____ INTERIOR REMODELING
_____ BUILD OUT
_____ CHANGE OF OCCUPANCY (CO)
_____ CERTIFICATE OF COMPLETION (CC)
_____ OTHER (PLEASE SPECIFY): _____

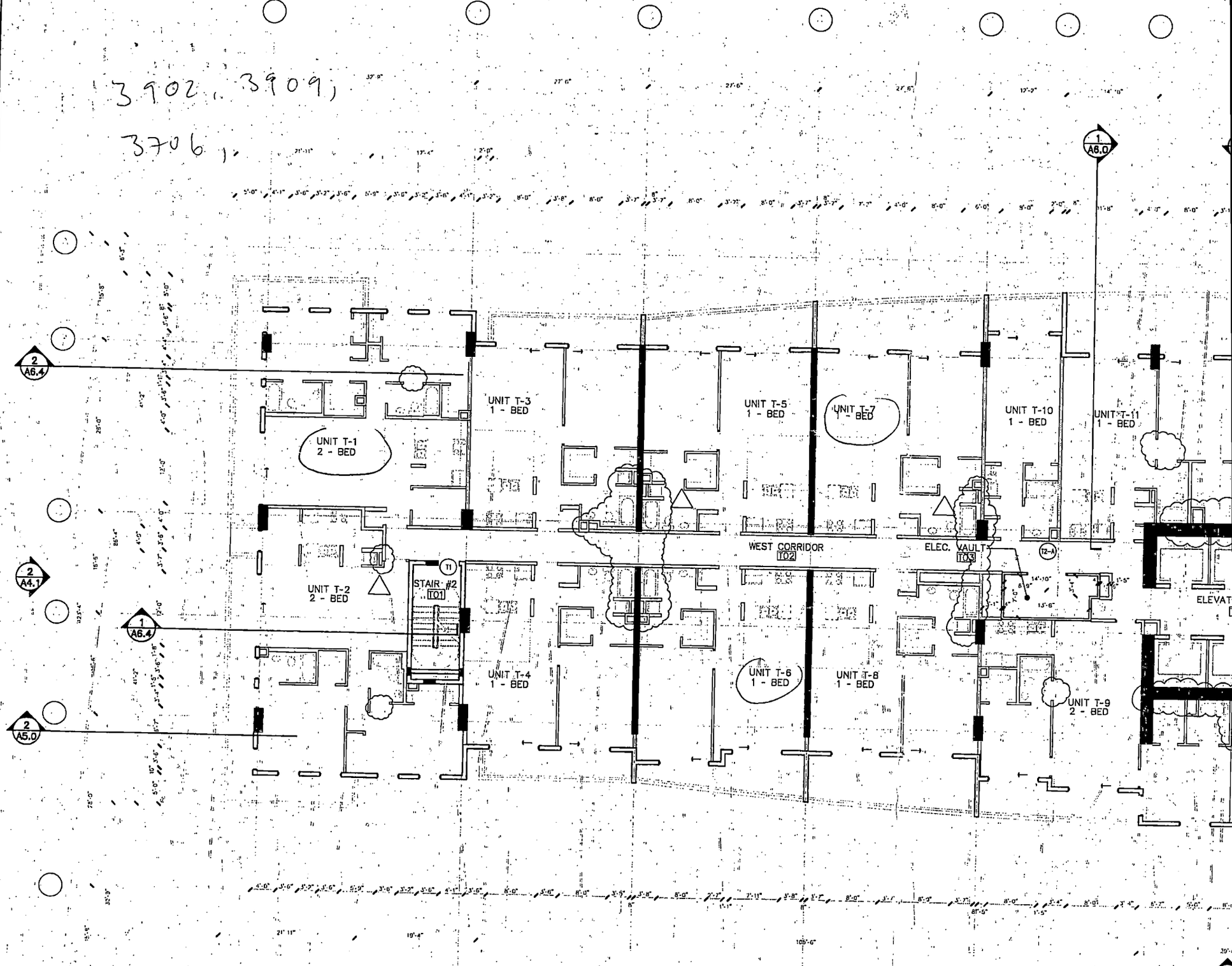
change of use.

NO PLANS REQUIRED. GO FOR CU directly.

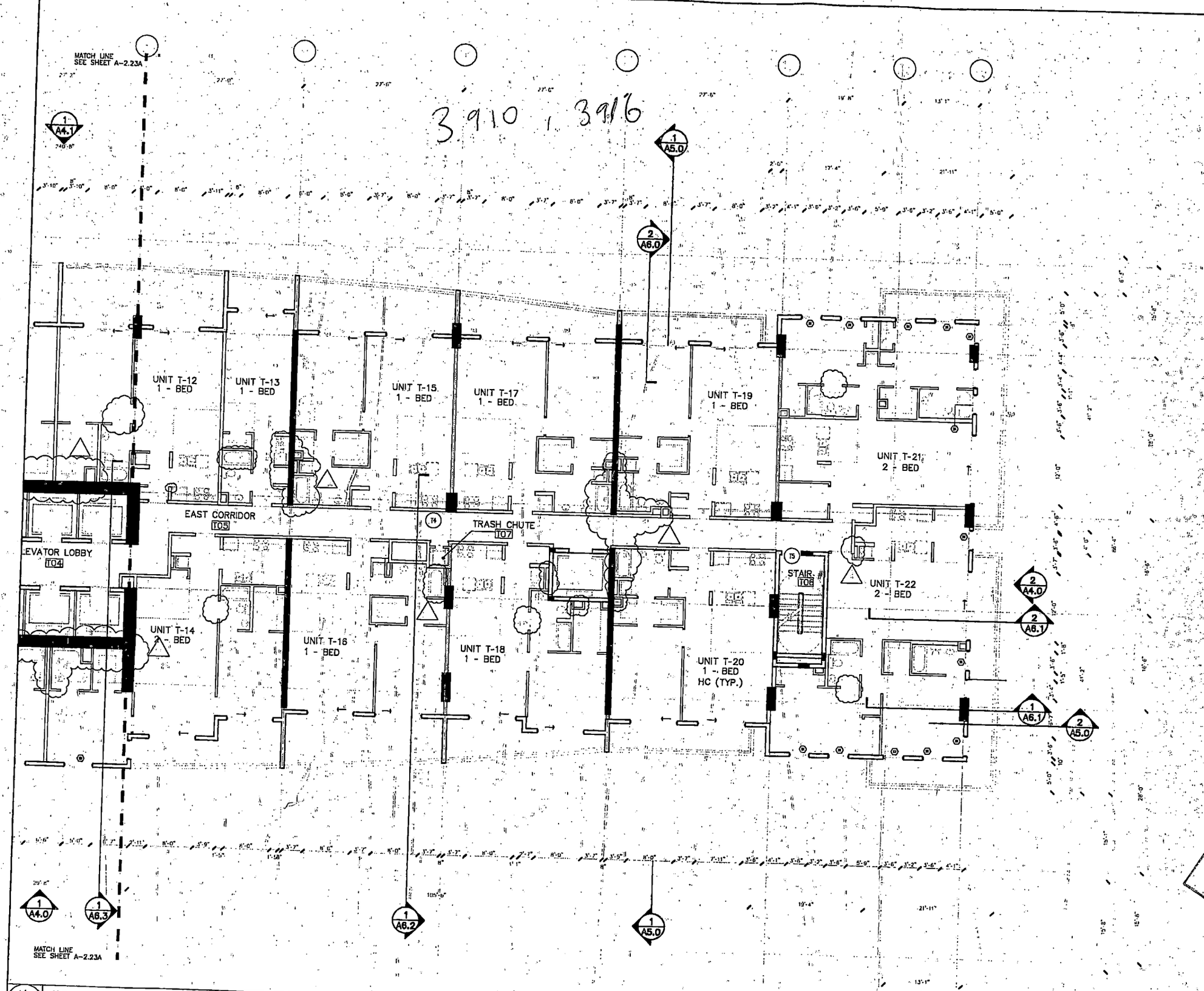
Permits Required:

_____ Plans: _____ Elevation: _____ Floor.
_____ Electrical _____ Plumbing _____

3902, 3909,
3706,



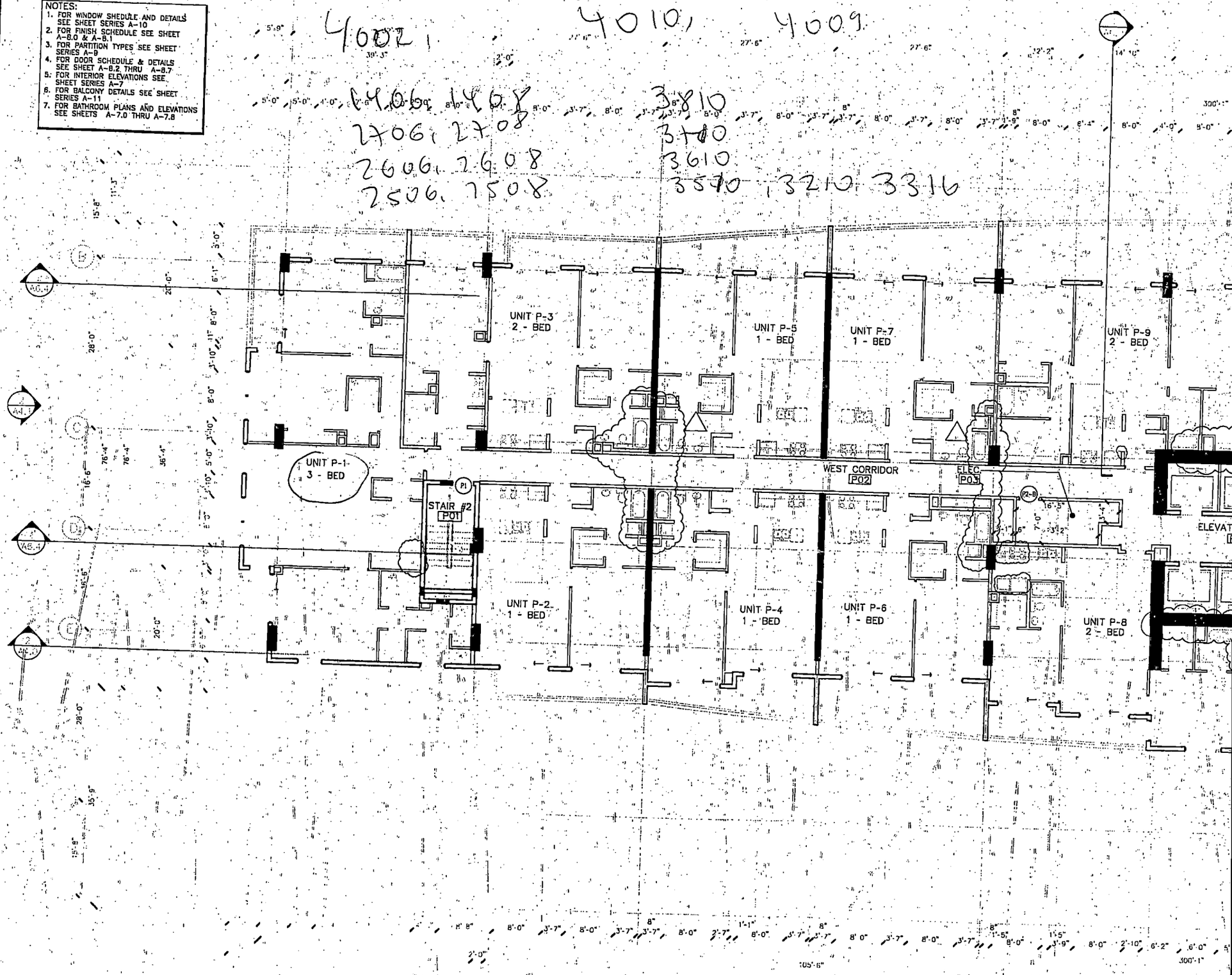
1 A-223A 13TH - 39TH TYPICAL PARTIAL FLOOR PLAN
SCALE: 1/8" = 1'-0"



1 A-2.23A **13TH - 39TH TYPICAL PARTIAL FLOOR PLAN**

SCALE: 1/8" = 1'-0"

NOTES:
1. FOR WINDOW SHEDULE AND DETAILS SEE SHEET SERIES A-10
2. FOR FINISH SCHEDULE SEE SHEET A-8.0 & A-8.1
3. FOR PARTITION TYPES SEE SHEET SERIES A-9
4. FOR DOOR SCHEDULE & DETAILS SEE SHEET A-8.2 THRU A-8.7
5. FOR INTERIOR ELEVATIONS SEE SHEET SERIES A-7
6. FOR BALCONY DETAILS SEE SHEET SERIES A-11
7. FOR BATHROOM PLANS AND ELEVATIONS SEE SHEETS A-7.0 THRU A-7.8



1 A-2.2BA **40TH - 41ST TYPICAL PENTHOUSE FLOOR PLAN**

SCALE: 1/8" = 1'-0"

NOTES:
1. FOR WINDOW SHEDULE AND DETAILS SEE SHEET SERIES A-10
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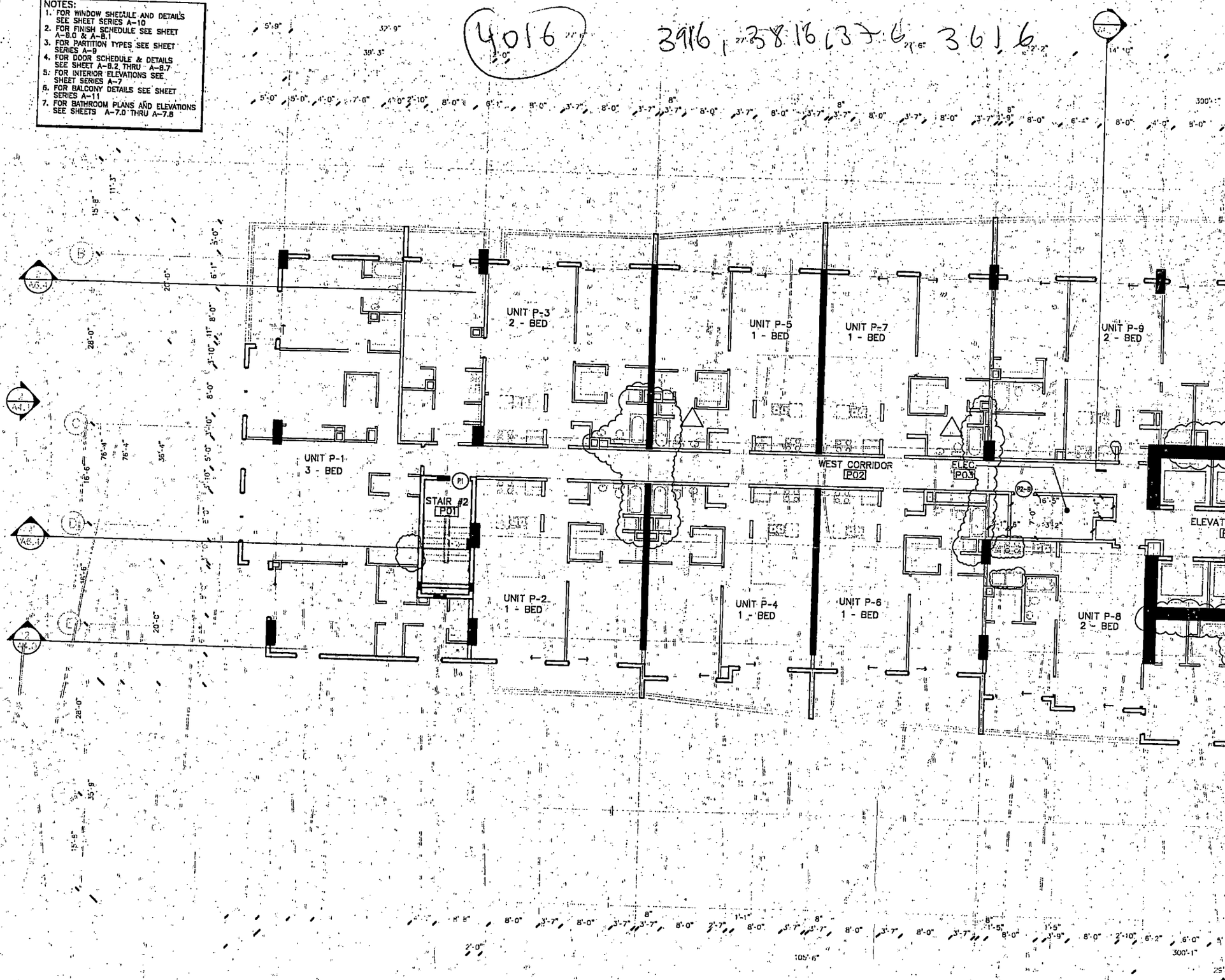
5. FOR INTERIOR ELEVATIONS SEE SHEET SERIES A-7
6. FOR BALCONY DETAILS SEE SHEET SERIES A-11
7. FOR BATHROOM PLANS AND ELEVATIONS SEE SHEETS A-7.0 THRU A-7.8

4016 3916, 3816, 3716, 3616



1 A-228A 40TH - 41ST TYPICAL PENTHOUSE FLOOR PLAN
SCALE: 1/8" = 1'-0"

NOTES:
1. FOR WINDOW SHEDULE AND DETAILS SEE SHEET SERIES A-10
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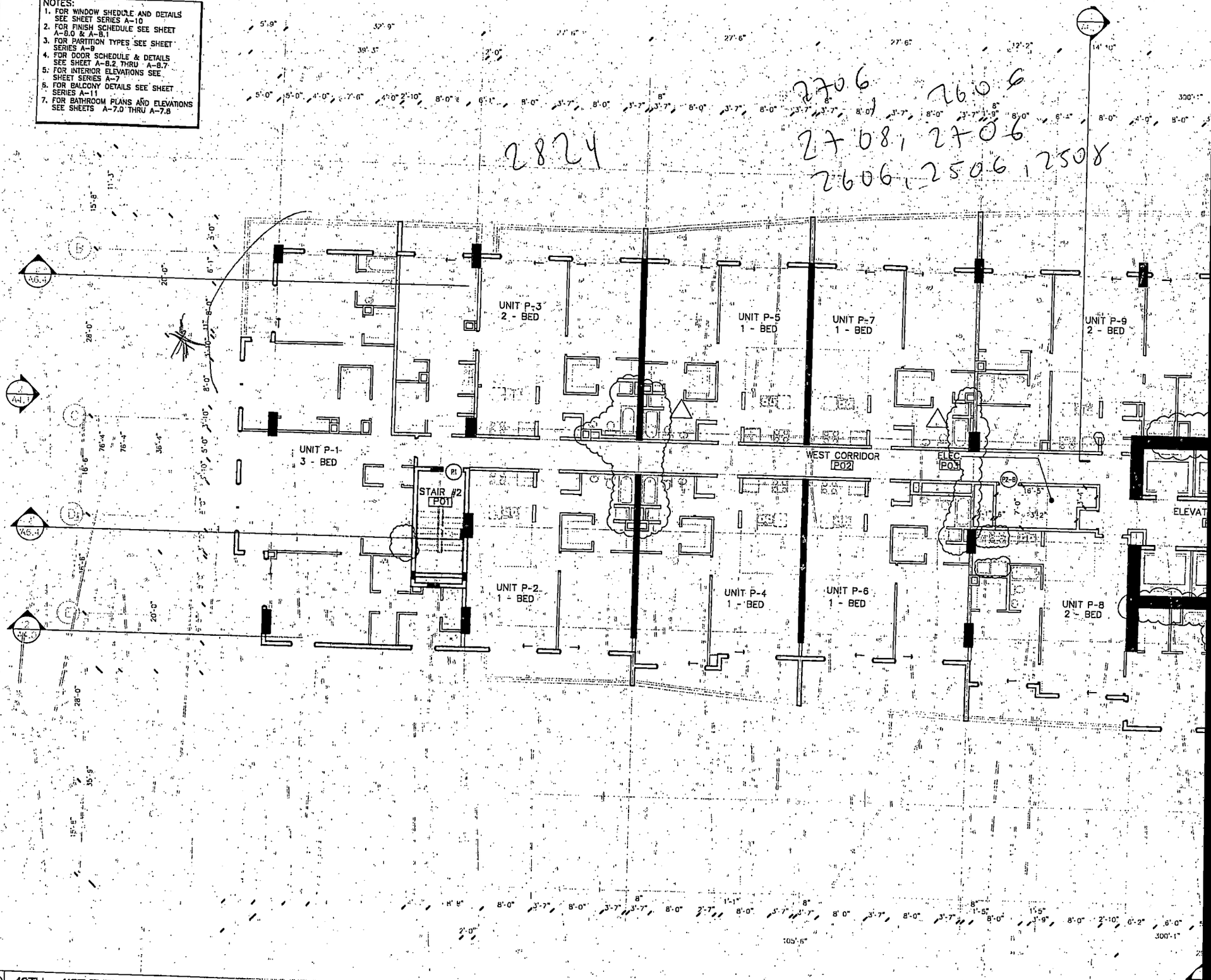

1 | 40TH - 41ST TYPICAL PENTHOUSE FLOOR PLAN
A-228A | SCALE: 1/8" = 1'-0"

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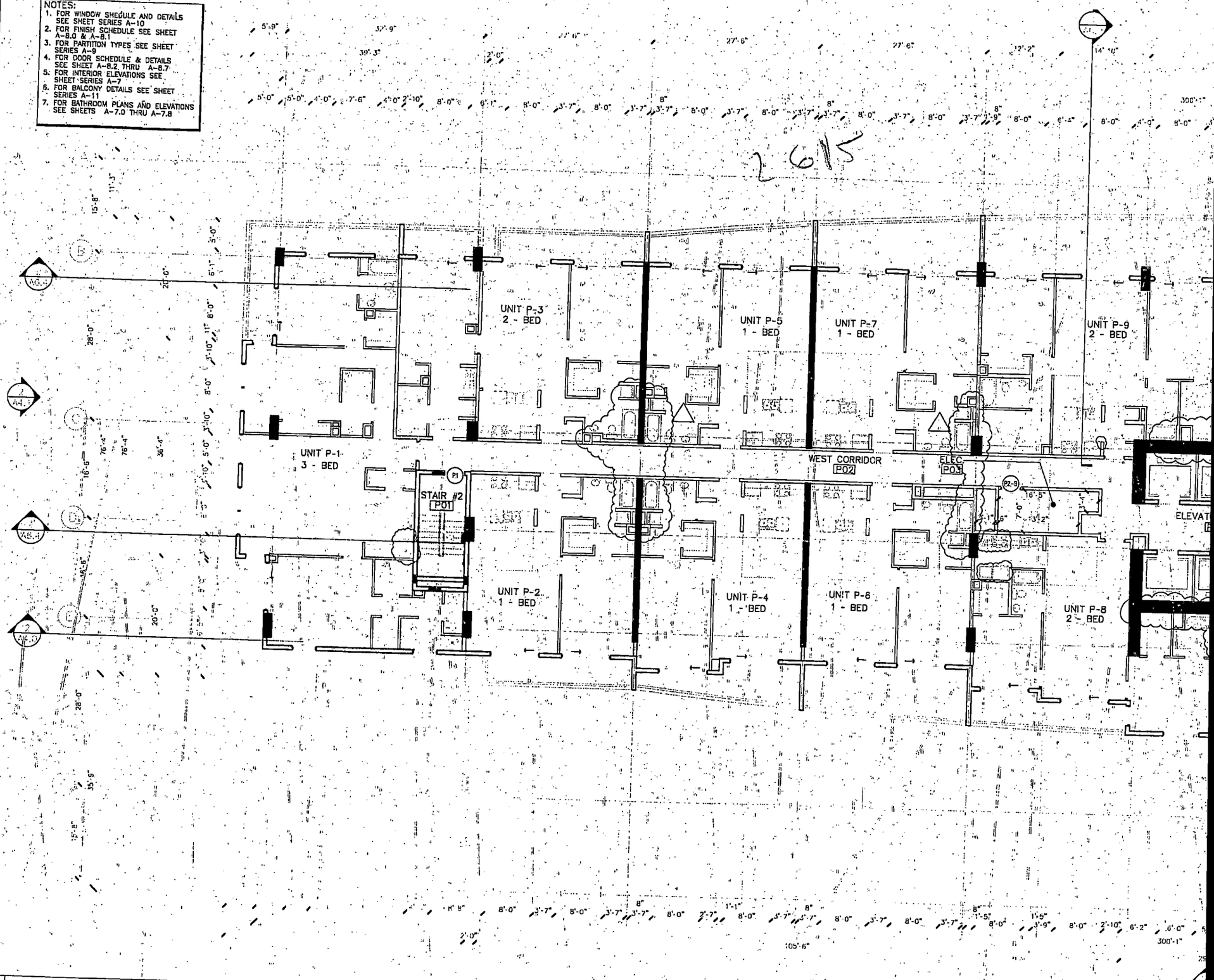
2615



1 A-228A 40TH - 41ST TYPICAL PENTHOUSE FLOOR PLAN
SCALE: 1/8" = 1'-0"

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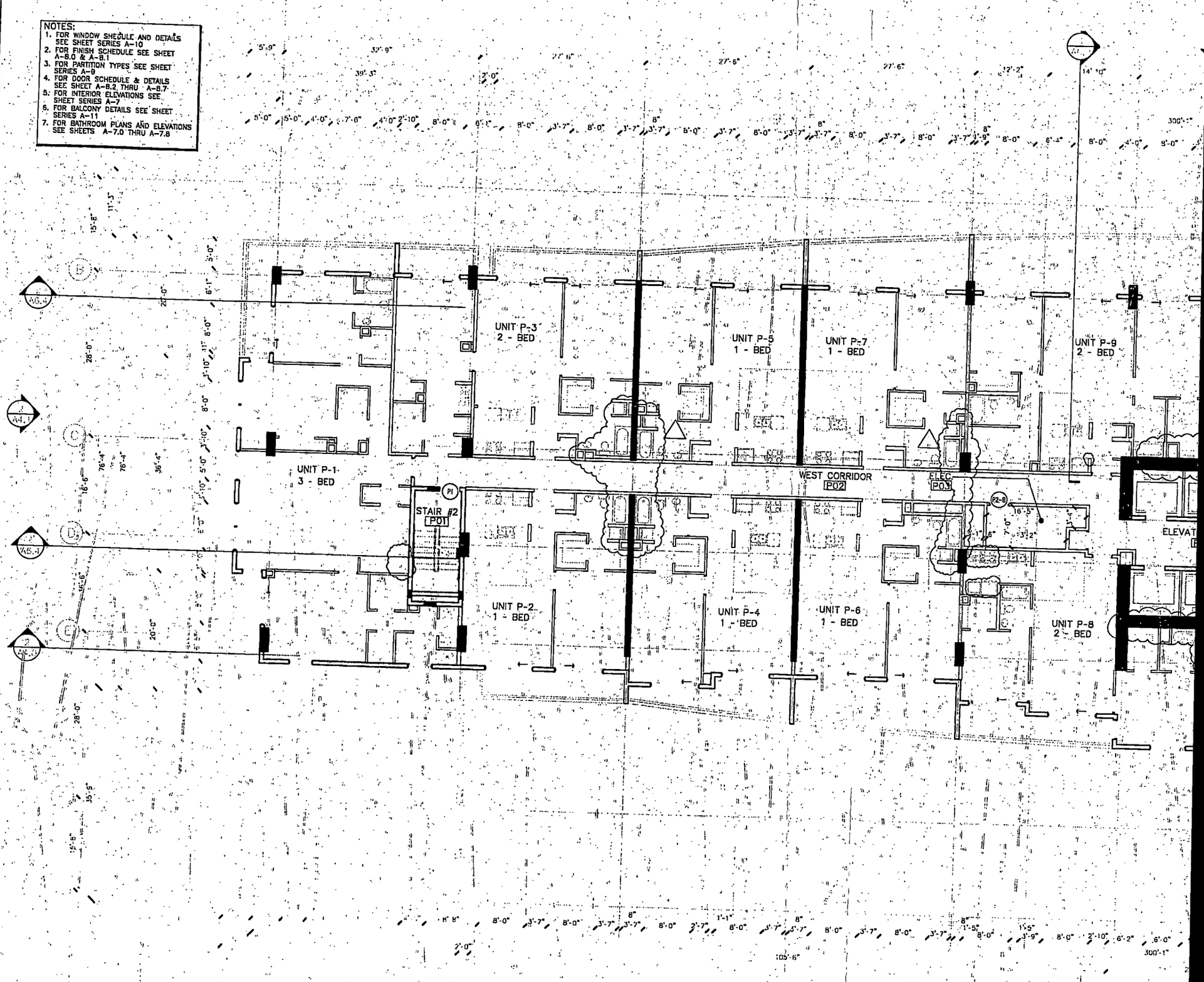
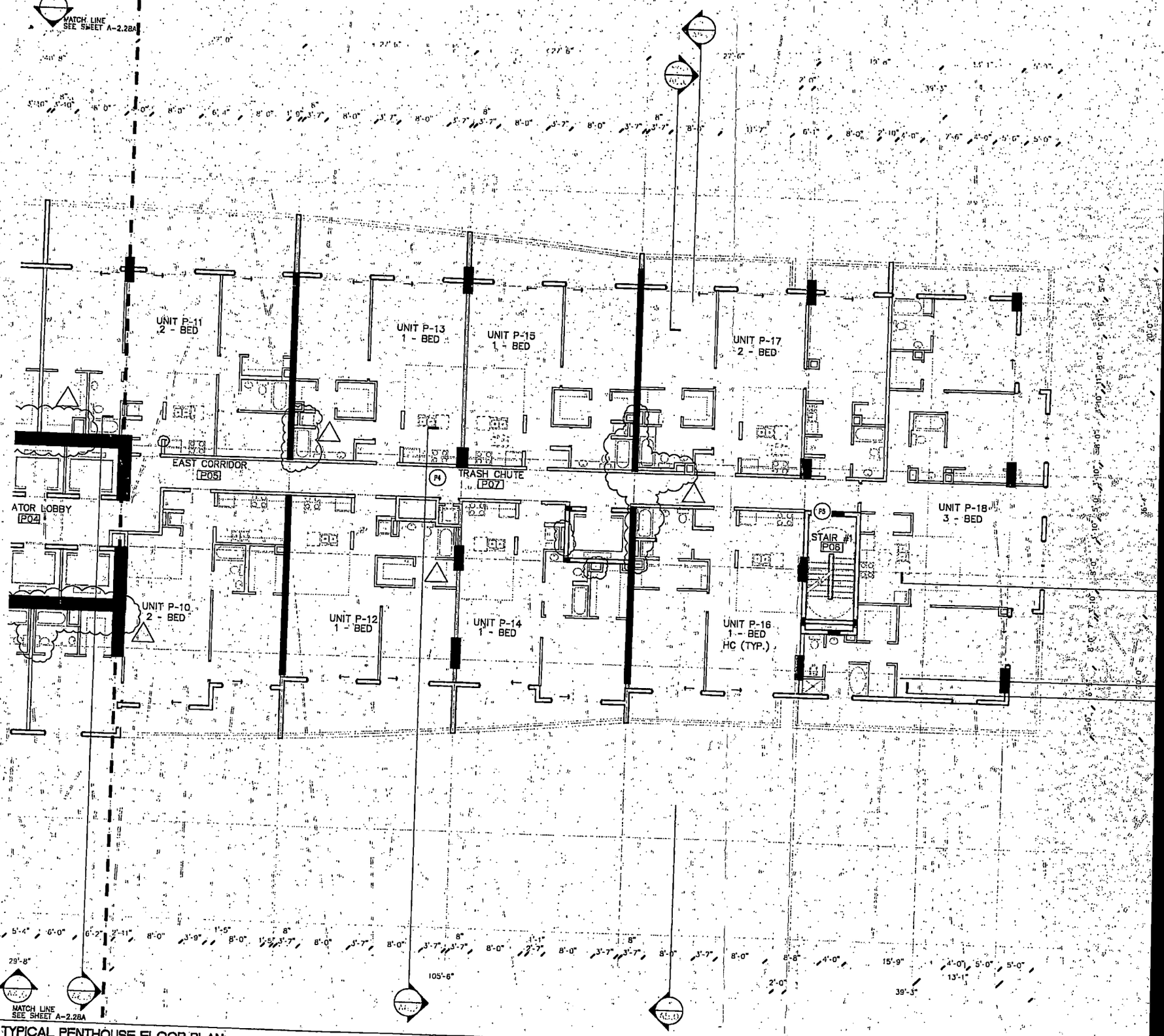


1 A-2.2BA 40TH - 41ST TYPICAL PENTHOUSE FLOOR PLAN
SCALE: 1/8" = 1'-0"



1 A-2.28B

40TH - 41ST TYPICAL PENTHOUSE FLOOR PLAN

SCALE 1/8" = 1'-0"

4002
3902
4009
3909
26115

1406
1408

4010
4016
3910
3916
3810
3816
3710
3716
3610
3616
3510
3210
3316

3706
1406
1408

2606
2608
2706
2708
2506
2508

162

328754 #253.00 CIRL 116

629275 182221

SHELL

City of Miami

CERTIFICATE OF USE

INSTRUCTIONS

1. Do not operate the business until a Certificate of Use, an Occupational License and, if applicable, a Certificate of Occupancy are issued.
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62937

Building Inspection	305-416-1100	Health/Hotel and Restaurant Dept.	1-850-487-1395
Electrical Inspection	305-416-1100	Code Enforcement Inspection	(See Below)
Mechanical Inspection	305-416-1100	North Office	305-329-4820
Plumbing Inspection	305-416-1100	Central Office	305-329-4800
Fire Inspection	305-416-1600	South Office	305-329-4770

TO BE COMPLETED BY APPLICANT

1. Business Name: The club at Brickell Bay Condo. Association
2. Date: 1/12/07
3. Address of Business, Including suite or space number and zip code: 1200 Brickell Bay Drive, [redacted] Miami FL 33131
4. Mailing Address: (If Different) 1200 Brickell Bay Drive #1400 Miami, FL. 33131
5. Business Telephone No: 305-503-2400
6. Emergency Telephone No:
7. Business Owner or Agent: Alex Fornet

ZNG

8. Zone: SD-5
Date: 1/12/07
Inspectors Initials: FC
Chief Zoning Inspector:

BLDG

Fire Zone:
Type of Const:
Occ. Classification:
# of Stories:

FPB

Dist. Code: 26 [ ][ ][ ]
Night Insp. ☐Yes ☑No
Shell ☑Yes ☐No
Occ. Load
Bldg. Protection 1 2 3 4
Corridor I/E
C.U. Exempt ☐Yes ☑No

ZNG

Approved Use: CONDO SHELL
Sq. Ft./ Units or Seat: 643 Units.
Restrictions:

FPB

Usage Codes:
Property Class:

OFFICE USE ONLY

C.O. Number.
Certificate No. 072794
Date Receipt No. RECEIVED JUL 20 2007

I have read the application and I do freely and voluntarily state that the statements and information contained here is true and correct.

Signature of Owner/Agent _____ Date _____

D | BZ/IS 416 Rev. 07/06

Distribution: White - Owner Agent; **Canary** - Owner/Agent (after a certificate number is issued); **Pink** - Occupational Licenses; **White Card** - Office of Zoning.

1200 BRICKELL BAY DR. #1400

RECORD OF INSPECTIONS

INSTRUCTIONS:
1. This card must be prominently displayed on the site.
2. When all categories of inspection have been approved for use: the owner, agent or tenant should submit this form to the Office of Zoning located at Miami Riverside Center, 4th Floor, 444 S.W. 2 Ave, Miami, FL 33128

ATT TERI GONZALEZ

	INSPECTION(S)	DATE	COMMENT(S)	INSPECTOR
CODE ENFORCEMENT	FRANK CHACON			
	(305) 416-2088			
	FINAL	1/12/07	OK	
BUILDING				
	FINAL			
PLUMBING				
	FINAL			
MECHANICAL				
	FINAL			
HEALTH/HOTEL RESTAURANT				
	FINAL			
FIRE PREVENTION				
	FINAL	1/24/07	OK	#250
ELECTRICAL				
	FINAL			