

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT
IN AND FOR ORANGE COUNTY, FLORIDA

SANCHEZ PROPERTIES GROUP LLC,

Plaintiff,

vs.

RESIDENCES AT VILLA MEDICI
CONDOMINIUM ASSOCIATION, INC.

Defendant.

GENERAL JURISDICTION
DIVISION

Case No.: 2025-CA-007724-O

MOTION FOR TEMPORARY INJUNCTION

COMES NOW the Plaintiff, SANCHEZ PROPERTIES GROUP LLC (hereafter referred to as the “Owner”), by and through the undersigned counsel, and files this Emergency Motion for Temporary Injunction, against Defendant RESIDENCES AT VILLA MEDICI CONDOMINIUM ASSOCIATION, INC. (hereafter referred to as the “Association”), jointly referred to as the “Parties”, and in support thereof alleges:

1. The Association is a Florida non-profit corporation incorporated under the laws of the State of Florida and doing business in Miami-Dade County, Florida.
2. The Association is the condominium association under Florida Statutes 718, *et. seq.* (the “Condominium Act”) and it is governed by its Declaration of Condominium (the “Declaration”), which is found in Official Records Book 8499, Page 4131, Public Records of Orange County, Florida, attached to the complaint and included herein by reference.
3. The Declaration is a contract between the Association, and all its members, including the Owner.
4. Owner is a member of the Association.
5. The Parties are subjected to the terms of the Declaration and Chapter 718 of Florida Statutes.

6. This Court has subject matter jurisdiction pursuant to section 34.01, Florida Statutes.

7. Venue is proper in the Florida's Ninth Judicial Circuit, as the Unit and the Parties are in Orange County, Florida.

8. All parties to this action are properly before this Court.

9. The Association's By-laws (Art. VII, A3) in its relevant parts, states:

Notice of meetings: It shall be the duty of the Secretary to provide notice (which notice shall incorporate an identification of agenda items) of all meetings of members stating the purpose thereof as well as the time and place where it is to be held, to each member of record at each member's address as it appears on the membership book of the Association, or, if no address appears, at each member's last known place of address, at least fourteen (14) days prior to such meeting. Notice of all meetings of members shall be posted at a conspicuous place at the Condominium, at least fourteen (14) continuous days preceding the meeting, and at least 48 continuous hours in advance of each other meeting, except in cases of emergency. The Board of Directors, upon notice to the members, shall by duly adopted rule designate a specific location on the Condominium Property upon which all notices of the meetings of the members shall be posted. If hand delivered, receipt of such notice shall be evidenced by receipt signed by the member. An officer of the Association shall provide an affidavit, to be included in the official records of the Association, affirming that notices of the Association meeting were mailed or hand delivered in accordance with provisions of Section 718.112(s)(d), Florida Statutes, to each member at the address last furnished to the Association. Notice of any meeting at which assessments against members are to be considered shall specifically contain a statement that such assessments will be considered and the nature of such assessments.

10. The Declaration, Article XI (Enforcement of Maintenance), states:

Notice to members: All meetings of the Board of Directors at which a quorum of the members is present shall be open to all members. Any member may tape record or videotape meeting of the Board of Directors. In addition, the right to attend such meetings shall include the right to speak at such meetings with reference to all designated agenda items. Notice of the time and purpose (specifically incorporating an identification of agenda items) of all meetings of the Board of Directors shall be conspicuously posted at the Condominium at least 48 continuous hours preceding the meeting, except in an emergency. However, written notice of any meeting of the Board of Directors at which non-emergency special assessment, or at which amendments to rules regarding unit use will be proposed, discussed or approved, shall be mailed or delivered to the members and posted conspicuously at the Condominium not less than fourteen (14) days prior to the meeting. Evidence of compliance with this fourteen (14) day notice shall be made by an affidavit

executed by the Secretary and shall be filed among the official records of the Association.

11. Florida Statutes section 718.112(2)(c)(1), its relevant part states as follows:

Adequate notice of all board meetings, which must specifically identify all agenda items, must be posted conspicuously on the condominium property at least 48 continuous hours before the meeting except in an emergency. If 20 percent of the voting interests petition the board to address an item of business, the board, within 60 days after receipt of the petition, shall place the item on the agenda at its next regular board meeting or at a special meeting called for that purpose. An item not included on the notice may be taken up on an emergency basis by a vote of at least a majority plus one of the board members. Such emergency action must be noticed and ratified at the next regular board meeting. Written notice of a meeting at which a nonemergency special assessment or an amendment to rules regarding unit use will be considered must be mailed, delivered, or electronically transmitted to the unit owners and posted conspicuously on the condominium property at least 14 days before the meeting. Evidence of compliance with this 14-day notice requirement must be made by an affidavit executed by the person providing the notice and filed with the official records of the association.

12. Further, Florida Statutes section 718.112(2)(c)(3), its relevant part states as follows:

Notice of any meeting in which regular or special assessments against unit owners are to be considered must specifically state that assessments will be considered and provide the estimated cost and description of the purposes for such assessments. If an agenda item relates to the approval of a contract for goods or services, a copy of the contract must be provided with the notice and be made available for inspection and copying upon a written request from a unit owner or made available on the association's website or through an application that can be downloaded on a mobile device.

13. Florida Statutes section 718.3026(1) its relevant part states as follows:

All contracts as further described herein or any contract that is not to be fully performed within 1 year after the making thereof, for the purchase, lease, or renting of materials or equipment to be used by the association in accomplishing its purposes under this chapter, and all contracts for the provision of services, shall be in writing. If a contract for the purchase, lease, or renting of materials or equipment, or for the provision of services, requires payment by the association on behalf of any condominium operated by the association in the aggregate that exceeds 5 percent of the total annual budget of the association, including reserves, the association shall obtain competitive bids for the materials, equipment, or services. Nothing contained herein shall be construed to require the association to accept the lowest bid.

14. In its relevant parts, §718.111(12) Fla. Stat provides:

The official records of the association are open to inspection by any association member and any person authorized by an association member as a representative of such member at all reasonable times. The right to inspect the records includes the right to make or obtain copies, at the reasonable expense, if any, of the member and of the person authorized by the association member as a representative of such member.

15. §718.111(12) Fla. Stat. further provides:

The records of the association shall be made available to a unit owner within 45 miles of the condominium property or within the county in which the condominium property is located within 10 working days after receipt of a written request by the board or its designee”

16. §718.111(12) Fla. Stat. further provides:

The failure of an association to provide the records within 10 working days after receipt of a written request creates a rebuttable presumption that the association willfully failed to comply with this paragraph. A unit owner who is denied access to official records is entitled to the actual damages or minimum damages for the association’s willful failure to comply.

17. The project is over five percent (5%) of the annual budget and the Association has failed to request competing bids as required by Florida law.

18. The Association has failed to notice a membership meeting to discuss and approve requesting competing bids for the alleged worked needed in the community.

19. The Association has failed to record minutes of the membership meeting in which it discussed and approved to request competing bids for the alleged worked needed in the community.

20. The Association has failed to notice a membership meeting to discuss and approve contractors for the alleged worked needed in the community.

21. The Association has failed to record minutes of the membership meeting in which it discussed and approved the hiring of contractors to perform work in the community.

22. The Association scheduled a member’s meeting for July 28, 2025, to “vote on a special assessment” (the “SA Meeting”).

23. The Association sent a notice dated July 10, 2025, as notice for the SA Meeting (the “SA Notice”). See **Exhibit A**.

24. The SA Notice, however, is misleading and therefore defective as it indicates that a special assessment “has been approved by the board of Directors”, when the special assessment was in fact not approved as to the date of the SA Notice.

25. The SA Notice contradicts the agenda of the meeting, and it is confusing to the members.

26. The SA Notice indicates that the “Board has authorized alternative methods for payments.” The Association, however, failed to hold a meeting in which to approve such alternative methods of payments, nor methods of payments were discussed during the SA Meeting.

27. Further, the SA Notice, was mailed on July 18, 2025, and not fourteen (14) days in advance of the scheduled meeting, as required by Florida law.

28. During the SA meeting, the membership brought up several concerns to the Association including, but not limited to, the lack of competing bids, certain duplicative items in the proposed special assessments, to no avail.

29. The Association, in violation of Florida law, has removed all records from its website and owners have no access to official records.

30. Members, including Owner, have requested access to official records pursuant to Florida law and the Association has ignored the requests.

31. Specifically, Owner submitted a request for inspection of documents, attached hereto as **Exhibit B**.

32. The Association provided access to Owner for inspection of the requested official records on August 25, 2025, but none of the requested documents were provided for inspection.

33. Owner believes that, given the facts of this case, it has a high probability of winning the action.

34. Despite this action, the Association continues enforce the wrongfully impose Special Assessment.

35. An order for a temporary Relief is proper in this action, pending resolution, because:

a. Unless a Temporary Injunction is granted, the Association and its residents will suffer irreparable harm with regard to the financial burden and quality of life in the condominium property.

b. Owner is likely to prevail on the merits at trial;

c. The injunction will serve the public interest; and

d. Owner has no adequate remedy at law.

WHEREFORE, Owner respectfully requests this Honorable Court finds that the process followed by the Association to demand payment for a special assessment from the membership was incorrect and enter judgment for temporary injunction, pending resolution of this action, in favor of Owner and against the Association:

Respectfully submitted,

By: /s/ Pablo A. Arriola
Pablo A. Arriola, Esq.
Bar #1019702
AR Law Group PLLC.
8785 SW 165th Ave., Suite 103
Miami, FL 33193
(786) 636-1001
pablo@arlawgroupfl.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was electronically served via the Florida E-filing Portal System to all Counsels on record on this September 3, 2025.

I further certify that prior to filing this motion, I have conferred the relief requested in this motion by email with the opposing party and attorney John A. Leklem disagreed on the resolution of all or part of the motion.

By: /s/ Pablo A. Arriola
Pablo A. Arriola, Esq.
Bar #1019702
AR Law Group PLLC.
8785 SW 165th Ave., Suite 103
Miami, FL 33193
(786) 636-1001
pablo@arlawgroupfl.com

EXHIBIT A

RESIDENCES AT VILLA MEDICI CONDOMINIUM ASSOCIATION, INC
5172 Conroy Rd
Orlando, Florida 32811
villamedicihoa@yahoo.com
Office No: (407) 648-4222

(037)

Date: July 10, 2025

Dear Homeowner, name

Subject: Special Assessment Notice

Dear Fellow Owners,

We hope this letter finds you well. As part of our ongoing commitment to the improvement and maintenance of our community, we are writing to inform you of a Special Assessment that has been approved by the board of Directors of Residences at Villa Medici Condominium Association, Inc. This assessment is necessary to fund the repairs identified in the State Mandated Milestone inspection, Road and parking repaving, mandatory replacement of another roof, mandatory refilling the negative balance of the reserves left from the receivership The Receiver left us owing over \$1,000,000 to the Reserves) and other unexpected expenses.

The total amount of the Special Assessment is \$ 2,573,844.90. This amount will be divided among all homeowners in our community, resulting in an individual assessment as detailed below per homeowner.

Unit Style	Amount of Assessment to that unit
A -	\$4,759.01
B -	\$5,667.77
C -	\$7,325.85
D -	\$8,194.75
E -	\$7,875.89
F -	\$9,860.80

The board has determined that this measure is essential to ensure the continued wellbeing of our community and to maintain the quality of life we all enjoy.

Sincerely,

The Board of Directors

RESIDENCES AT VILLA MEDICI CONDOMINIUM ASSOCIATION, INC
5172 Conroy Rd
Orlando, Florida 32811
villamedicihoa@yahoo.com
Office No: (407) 648-4222

BOARD OF DIRECTORS

NOTICE TO VOTE ON A SPECIAL ASSESSMENT

NOTICE IS HEREBY GIVEN, that a meeting of the board of Directors of Residences at Villa Medici Condominium Association, Inc. will be held on the following date, time and place:

Date: July 28, 2025
Time: 10:00 a.m.
Place: RVM Clubhouse

Durin this meeting, the Board will vote on a Special Assessment.

The Board has authorized alternative methods for payment as follows:

The Special Assessment may be paid in two equal payments, with the first payment due by August 30th and the Second payment to be paid in full by October 30th, 2025, and is the preferred method of payment.

The funds will be used only for the designated expenses. Once the Board has voted, a follow-up correspondence will be sent out to the membership.

AGENDA

- I Welcome and call to order**
- II New Business**
 - a. Special Assessment – Consideration and Vote**
- III Adjournment**

By: Board of Directors

**SPECIAL ASSESSMENT SUMMARY THAT WAS REVIEWED AND
APPROVED DURING THE MEETING OF JULY 28, 2025 FOR MAIL-
OUT REQUIREMENT PRIOR TO ADOPTION**

TOTAL ASSESSMENT AMOUNT

\$2,573,844.90

Reserve A/P Replacement	\$ 613,399.50
Reserve Negative Balance Replacement	\$ 322,566.40
Repairs and Paint Required from Milestone	\$ 489,850.00
Stairs Repair Required by Milestone	\$ 275,000.00
Repaving	\$ 492,000.00
Gutters and Downspouts	\$ 166,489.00
Building 8 Roof	\$ 175,000.00
Runoff Box Repair	\$ 30,390.00
Pool Main Drain Repair	\$ 9,190.00

One Bedroom A Total Per Unit	\$ 4,759.01
One Bedroom B Total Per Unit	\$ 5,667.77
Two Bedroom C Total Per Unit	\$ 7,325.85
Two Bedroom D Total Per Unit	\$ 8,194.75
Two Bedroom E Total Per Unit	\$ 7,875.89
Three Bedroom F Total Per Unit	\$ 9,860.80

Residences at Villa Medici
Condominium Association, Inc.
5172 Conroy Rd
Orlando, FL 32811

ORLANDO FL 328

18 JUL 2025 PM 3



POSTNET
\$0.749
US POSTAGE
FIRST-CLASS
PERMIT NO. 2264
ORLANDO, FL 32811
JUL 17 2025

RANGEL MIRIENE MENDES
5156 Conroy Rd Unit 1115
Orlando, FL 32811

32811-374490

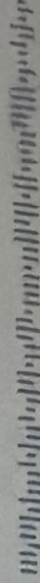


EXHIBIT B



LAW GROUP
PLLC
ATTORNEYS & COUNSELORS AT LAW

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North Miami Beach, FL 33160
(305) 932-8231

August 7, 2025

Via UPS overnight (1ZB192621303270754)

RESIDENCES AT VILLA MEDICI CONDOMINIUM ASSOCIATION, INC.
5172 Conroy Road
Orlando, Florida 32811

Via email to

villamedicihoa@yahoo.com

Re: Request to Inspect and copy Association records pursuant to §718.111(12) Fla. Stat.

Dear Board of Directors:

The attorneys of the undersigned firm represent SANCHEZ PROPERTIES GROUP LLC, owner of 5124 Conroy Road., Unit 22, Orlando FL 32811 (hereafter the “Owner”), located within the condominium property under the declaration of condominium of RESIDENCES AT VILLA MEDICI CONDOMINIUM ASSOCIATION, INC. (the “Association”).

Florida law provides: “The official records of the association are open to inspection by any association member and any person authorized by an association member as a representative of such member at all reasonable times. The right to inspect the records includes the right to make or obtain copies, at the reasonable expense, if any, of the member and of the person authorized by the association member as a representative of such member.” Further, “The records of the association shall be made available to a unit owner within 45 miles of the condominium property or within the county in which the condominium property is located within 10 working days after receipt of a written request by the board or its designee” And “The failure of an association to provide the records within 10 working days after receipt of a written request creates a rebuttable presumption that the association willfully failed to comply with this paragraph. A unit owner who is denied access to official records is entitled to the actual damages or minimum damages for the association’s willful failure to comply.” §718.111(12) Fla. Stat.

The Owner hereby requests to inspect and copy, or to receive by electronic means, the following official records of the Association:

1. Monthly bank statements for all Association accounts from October 2023 to the date of the inspection of official records, pursuant to §718.111(12)11 Fla. Stat.
2. All notices of meetings held by the Association from October 2023 to the date of the inspection of official records, pursuant to §718.111(12)(a)6 Fla. Stat.

3. All minutes of the meetings held by the Association from October 2023 to the date of the inspection of official records, pursuant to §718.111(12)(a)6 Fla. Stat.
4. All notices mailed to the membership or posted in common areas from October 2023 to the date of the inspection of official records, by the Association and related to the Special Assessment imposed by the Association in, pursuant to §718.111(12)(a)6 Fla. Stat.
5. Affidavits of mailing for the notices of meetings held by the Association from October 2023 to the date of the inspection of official records, pursuant to §718.111(12)(a)6 Fla. Stat.
6. Ledgers of the unit accounts (monthly, bimonthly, or quarterly statement of the account for each unit) with the name of the unit owner, the due date and amount of each assessment, the amount paid on the account, and the balance due from October 2023 to the date of the inspection, pursuant to §718.111(12)(a)11.c Fla. Stat.
7. A current roster of all unit owners and their mailing addresses, unit identifications, telephone numbers, and the e-mail addresses, pursuant to §718.11(12)(a)7 Fla. Stat.
8. All contracts for work to be performed for which a Special Assessment was passed in 2025, pursuant to §718.111(12)(a)11.e Fla. Stat.
9. Bids for materials, equipment, or services for which a Special Assessment was passed in 2025, pursuant to §718.111(12)(a)16 Fla. Stat.
10. Invoices and receipts for payments of services, fees, fines, products, or other items to RINASCENTE INVESTMENT GROUP, LLC by the Association, tenants, or members, from October 2023 to the date of the inspection of official records, pursuant to §718.111(12)(a)11.b Fla. Stat.
11. All past and current contracts by and between RINASCENTE INVESTMENT GROUP, LLC and the Association from October 2023 to the date of the inspection of official records, pursuant to §718.111(12)(a)9 Fla. Stat.
12. Bills of sale or transfer for all property owned by the association from October 2023 to the date of the inspection of official records, pursuant to §718.111(12)10 Fla. Stat.

All correspondence related to this matter should be directed to my attention. Unless otherwise instructed, please do not contact my client directly.

Should you have any question, concern, and to coordinate the inspection of documents, please contact me at 786-636-1001 or pablo@arlawgroupfl.com.

Pablo A. Arriola, Esq., LL.M.
FOR THE FIRM.