

IN THE CIRCUIT COURT FOR THE 11TH
JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

ANA DANTON,

CASE NO: 2022-007798-CA-01

Plaintiff,

SECTION: CA22

v.

HAMMOCKS COMMUNITY ASSOCIATION
INCORPORATED,

Defendant.

COURT-APPOINTED MONITOR'S 2025 ANNUAL AND ELECTION REPORT

The Honorable David M. Gersten (Retired), the former court-appointed Receiver and now current court-appointed Monitor (the "Monitor") in the above-captioned action, and pursuant to the Court's August 27, 2024 Order Transitioning the Receivership into a Monitorship, Discharging Judge David M. Gersten (Ret.) as Receiver, and Retaining Judge David M. Gersten (Ret.) as Court Monitor (the "Order"), submits his 2025 Annual Report setting forth his evaluation of the Hammocks Community Association Incorporated's (the "Association") financial status, budgetary obligations, allegations of corruption, and, pursuant to the Court's extension, the results of the Association's 2026 Board of Directors Election.

**I.
INTRODUCTION**

On August 27, 2024, after over twenty-two (22) months of the Association being under a Court-ordered receivership, this Court entered its Order adopting the then Receiver's recommendation (as unanimously approved by the Association's then Advisory Board of Directors) to transition the receivership to a monitorship. As part of that transition, the Court

required the Monitor to file an annual report evaluating the Association’s financial status, budget, and allegations of corruption.

As reflected in the Monitor’s motion for extension of time on February 16, 2026, the Monitor sought and obtained additional time to file this Report in order to include both the required financial and budgetary analysis and the results of the Association’s 2026 Board of Directors election in a single, comprehensive filing. In accordance with the Order, the Monitor provides the following report.

II.
THE ASSOCIATION’S FINANCIAL STATUS: STABLE AND ACTIVELY MANAGED

Simply put, the Association’s financial condition remains strong and well-positioned under the Monitor’s continued oversight.

A.
The Association’s Financial Position Remains Strong

The Association currently maintains bank balances exceeding \$3.6 million, reflecting sufficient liquidity to meet its ongoing operational obligations. The Association is also in the process of transitioning its banking relationship from First Citizens Bank to BankUnited. This transition is administrative and forward-looking in nature and is expected to enhance financial controls, oversight, and institutional stability.

In addition, as part of the financial controls implemented during the receivership and maintained through the monitorship, disbursements are subject to a structured, multi-level review process, including review by Association leadership and the Court-Appointed Monitor prior to issuance. This process was specifically implemented to ensure accountability, accuracy, and proper use of Association funds, and remains a key component of the Association’s current financial stability.

The Association has also completed its 2024 audited financial statements, which have been finalized and published to the community. The Association is further on track to complete and publish its 2025 audited financial statements to the community by the applicable May 2026 deadline. These efforts reflect continued adherence to the financial reporting structure implemented during the receivership and maintained through the monitorship, and provide transparency into the Association's financial condition.

B.
There Is Always Room for Improvement

The primary financial issue facing the Association continues to be delinquent homeowner assessments, totaling approximately \$1.7 million. However, unlike prior periods, this issue is now being actively addressed through a structured and enforcement-driven collections framework implemented in coordination with the Association's new property manager, Allied Property Group.

These efforts include the consistent application of statutory interest, late fees, and collection costs; escalation to collections and legal enforcement; the use of foreclosure remedies where appropriate; and integration with Axela Technologies (a collection agency) to enhance tracking and recovery. At the same time, the Association has implemented hardship programs and payment plan options designed to encourage voluntary compliance and avoidance of additional interest and late fees.

As a result, delinquent assessments are no longer a passive financial concern but are instead the subject of an active and coordinated recovery effort. These efforts are expected not only to improve the Association's financial position but also to support the long-term stability of its operations without requiring increased financial burden on homeowners.

C.
Operational Transitions Reflect Continued Progress

The Association is transitioning its property management from Affinity Management Services to Allied Property Group. This transition reflects a continued effort to improve operational performance, accountability, and service delivery. The transition also includes implementing updated management systems and technology, which are expected to enhance the Association's accounting processes, financial reporting, and website functionality, thereby improving overall transparency and accessibility for homeowners.

The Association's current financial condition is not incidental, but rather the product of the governance framework, financial controls, and oversight mechanisms implemented during the receivership and maintained through the monitorship. In practice, the Monitor's continued presence has ensured consistent adherence to governing procedures and uniform application of the rules, providing all members with a fair and equal opportunity to participate in the Association's processes. These systems continue to provide structure, consistency, and accountability in the Association's financial operations and remain essential to preserving its stability.

III.
THE ASSOCIATION'S 2026 BUDGET: DISCIPLINED AND OWNER-CONSCIOUS

Pursuant to the Association's governing documents, a budget must be prepared annually. The Association has timely adopted its 2026 budget in accordance with those requirements. Notably, the 2026 budget does not include any increase in assessments to homeowners and reflects a measured and disciplined approach to financial planning while maintaining operational continuity.

The decision to maintain stable assessments, particularly in light of elevated delinquencies, underscores the importance of the enhanced collection efforts currently underway.

**IV.
THE ASSOCIATION'S 2026 ELECTION: TRANSPARENT, STRUCTURED, AND
SUCCESSFUL**

The Association's 2026 Annual Election of the Board of Directors was administered and conducted by the Court-Appointed Election Monitor, who managed and implemented all aspects of the election process, including early voting and absentee ballot procedures made available to all eligible members.

Early voting was conducted on February 21, 2026, from 10:00 a.m. to 2:00 p.m., February 23, 2026, from 9:00 a.m. to 5:00 p.m., February 24, 2026, from 9:00 a.m. to 5:00 p.m., and February 25, 2026, from 9:00 a.m. to 9:00 p.m.

Election Day voting was held on February 26, 2026, from 9:00 a.m. to 6:00 p.m. A total of 556 ballots were cast, reflecting strong member participation.

The election was conducted with significant transparency and integrity safeguards, including a ballot box secured, locked, and bolted to the wall; continuous on-site security while voting was open; and a 24-hour livestream accessible to the community to observe the ballot box and voting process. These measures ensured a fully transparent and verifiable election process.

Absentee ballot procedures also included enhanced verification safeguards, including live virtual verification meetings with management, confirmation against public records and Association records, verification of authority where ownership was held by a corporation or trust, identity verification through government-issued identification, email confirmation from management, execution through a secure digital signature platform, and additional signature verification protocols for multi-unit owners. These procedures exceed typical association practices and reflect a deliberate emphasis on accuracy, integrity, and transparency.

Based on the certified election results, the following individuals were elected as Directors: (1) Johanna Acosta, (2) Idalmen “Chicky” Ardisson, (3) Pete Cabrera, (4) Don Kearns, and (5) Francisco “Frank” Perez. The following individuals were elected as Alternate Directors: (1) Andrew Costa, (2) Dr. Rose L. Martin, and (3) Ricardo Rodriguez Danton.

At the Organizational Meeting held on March 4, 2026, the duly elected Board members present were sworn in and executed their oath under the Bill of Rights and governing documents, consistent with the governance framework implemented and maintained through the monitorship, and the Board proceeded to elect its officers as follows: Don Kearns (President), Idalmen “Chicky” Ardisson (Vice President), Francisco “Frank” Perez (Secretary), Pete Cabrera (Treasurer), Johanna Acosta (Director), Kristen Gurucharri (Director), Juan Franco (Director), and Andrew Costa (Alternate Director).

These election procedures were conducted under the supervision of the Court-Appointed Monitor and reflect the protocols established during the receivership and maintained through the monitorship. The implementation of these safeguards ensured not only the integrity of the election, but also uniform application of the rules and equal access to the process for all members.

These measures—particularly the enhanced verification procedures, continuous transparency mechanisms, and structured oversight—are a direct result of the monitorship framework, which has ensured strict adherence to governing procedures and consistency in the administration of Association processes.

V.
NO ALLEGATIONS OF CORRUPTION

The Monitor is pleased to report that he has not received any complaints of corruption during this reporting period. Under the leadership of the current Board, and within the governance structure and oversight maintained through the monitorship, the homeowners' funds remain secure.

VI.
CONCLUSION

The Association has continued its transition from recovery to stability and now operates with structured governance, transparent election procedures, active financial management, and ongoing operational improvements. These conditions are not incidental—they are the direct result of the governance framework, financial controls, and oversight mechanisms implemented during the receivership and maintained through the monitorship.

The Monitor's continued oversight provides a consistent and neutral framework that ensures adherence to governing procedures, uniform application of the rules, and equal access to Association processes for all members. In practice, this oversight has also served as a meaningful deterrent to the types of conduct that previously gave rise to Court intervention.

However, adherence to these procedures is not automatic, and continued oversight remains necessary to ensure consistent compliance with the Association's governing documents, the Court's Orders, and applicable governance and election procedures.

The Association is no longer operating in a state of uncertainty but instead within a controlled, deliberate, and forward-moving structure under the Monitor's continued oversight, ensuring adherence to the rules, preserving operational integrity, and enabling enforcement and investigation of potential misconduct.

Dated this 30th day of March, 2026.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 30, 2026, the foregoing was filed electronically using the Court's electronic filing system, which will send notice and a copy of this filing to all counsel of record listed in the Florida Courts E-Filing Portal.

By: /s/ Melanie Damian
Melanie Damian, Esq.