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First Surfside condo collapse lawsuit from Chalik & Chalik Injury Lawyers filed

Chalik & Chalik Injury Lawyers will represent the estate of Ana Ortiz, who died while sleeping, along with her husband and son.

MIAMI, FL, **JULY 8, 2021** — Jason Chalik of [Chalik & Chalik Injury Lawyers](#) announced that his firm has filed its first case stemming from the Surfside condominium collapse. The plaintiff, Josefina Henriquez, is the pending personal representative of the estate of Ana Ortiz, who passed away when the Champlain Towers South building fell on June 24, 2021.

Ortiz was asleep in her condo, unit number 702, with her husband and son when the building crashed down. Her husband and son also lost their lives in the collapse. Ortiz was 46 years old.

“This catastrophe has struck an entire community,” Chalik said. “For our firm, one that believes strongly in the fundamental importance of community, we can think of no greater priority than bringing justice for those who are suffering—so needlessly and for no other reason than sheer negligence.”

Defendants sued for both negligence and gross negligence

The complaint, which was filed in the Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida, names multiple defendants: Champlain Towers South Condominium Association, Inc.; Scott Stewart; and Morabito Consultants, Inc.

The complaint, which alleges multiple counts of negligence and gross negligence, asserts how each defendant’s actions caused the building collapse that killed Ana Ortiz.

Specifically, Champlain Towers South Condominium Association was responsible for supervising maintenance and inspections of the building. Scott Stewart, the onsite

property manager, was personally accountable for ensuring timely repairs were conducted where needed. Morabito Consultants, Inc. is the engineering firm that the condo association hired to manage building repairs.

Defendants failed in their duty of care to residents

According to the legal complaint, Champlain Towers South Condominium Association's Declaration underscores the organization's sole duty to "maintain, repair, and replace at the Association's own expense: 1) all common elements and limited common elements," and "all portions of the units ...contributing to the support of the building, which portions shall include but not be limited to the outside walls of the building, and load-bearing columns."

In October 2018, Morabito Consultants, Inc. issued a report underscoring the need to replace the waterproofing below the pool deck and entrance drive. The inspector who wrote the report stressed that failure to address these areas soon would cause already existing concrete deterioration "to expand exponentially."

Residents were not warned that their lives were at risk

Not only did the condo association refuse to comply with the engineers' urgent advice, but it also failed to warn residents that the building was at risk. In addition, Stewart did not make sure that urgent repairs happened or warn residents of the danger.

Morabito Consultants, Inc., who had firsthand knowledge of the seriousness of the building's safety risks, did not press to have the needed repairs conducted as part of the building's 40-year certification. Rather, the firm prioritized getting city approval for residents' use of an empty parking lot during construction.

The complaint points out that Morabito Consultants, Inc. failed to warn residents of danger to which they were exposed while in Champlain Towers South.

The condo association and property manager face punitive damages

"We see rampant and egregious levels of negligence on behalf of these parties," Chalik said. "The conduct of the condo association was reckless and showed complete indifference to life.

"As for the property manager, Scott Stewart: this man chose instead to placate the condo association, rather than fulfill his fundamental duty of care to the residents of

Champlain Towers. He did so fully knowing that his stalling tactics were putting lives at risk,” Chalik continued. “He and the Champlain Towers Association owe the plaintiff—and this community—a debt they will never be able to repay.”

Accordingly, Chalik is seeking punitive damages for these two defendants’ gross negligence, on top of loss of prospective net accumulations, funeral bills, and expenses.

About Chalik & Chalik Injury Lawyers

Since 1995, Chalik & Chalik Injury Lawyers has served injured parties throughout southern Florida. The firm prides itself on offering clients honest, personal representation. Beyond its passion for personal injury law, the family-oriented law firm involves itself in numerous charitable organizations throughout South Florida.

The firm’s attorneys and staff share an equally strong [commitment to their community](#), particularly the Jewish community.

Jason Chalik was the president of his synagogue, Temple Kol Ami Emanu-El in Plantation for four years. He also donates considerable time to Jewish community life, as well as to mentoring youth. Debi Chalik was recognized as one of the 100 Outstanding Women of Broward County by the Boys & Girls Clubs of Broward County.

Individuals looking for legal representation for an injury or wrongful death can call Chalik & Chalik Injury Lawyers at (855) 529-0269 for a free consultation.

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