REFRESH FUNDING, LLC, a Florida Limited Liability Company Plaintiff,

VS.

THE BIEN-AIME'S FAMILY, LLC, A FLORIDA LIMITED LIABILITY COMPANY; PHILIPPE BIEN-AIME; UNKNOWN TENANT IN POSSESSION #1; UNKNOWN TENANT IN POSSESSION #2, Defendants, IN THE CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA

CASE NO.: 2019-035778-CA 08

CIRCUIT CIVIL DIVISION

PLAINTIFF'S NOTICE OF BREACH OF COURT APPROVED SETTLEMENT AGREEMENT

COMES NOW, the Plaintiff, REFRESH FUNDING, LLC, a Florida limited liability company, by and through the undersigned counsel, hereby gives notice to this Court that the Defendants, THE BIEN-AIME'S FAMILY, LLC and PHILIPPE BIEN-AIME (collectively, the "Defendants"), have failed to comply with the express terms of the Court-approved Forbearance and Settlement Agreement.

Specifically, it is undisputed that the Defendants failed to timely pay the 2019 Annual Tax Bill, which remains due and owing, in addition to the fact that year 2020 Real Estate Taxes continue to remain due and owing. See true and correct copies of the 2019 Annual Tax Bill and 2020 Annual Tax Bill that are attached hereto and incorporated herein as Composite Exhibit "A."

Dated: This 21st day of April, 2021

/s/John L. Penson_____

John Penson, Esquire Bar No.: 111686 John L. Penson, P.A. 1900 Sunset Harbour Dr. Annex-2nd Floor Miami Beach, FL 33139 Primary Email: <u>pensonservice@gmail.com</u> Secondary Email: <u>john@pensonlaw.org</u> Tel: (305) 532-1400 Fax: (305) 675-6390 WE HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail and E-Mail on this 21st day of April 2021 to:

Philippe Bien-Aime 70 NE 134th Street North Miami, FL 33161

The Bien-Aime's Family LLC

c/o Philippe Bien-Aime, as Registered Agent 70 NE 134th Street North Miami, FL 33161

/s/ John L. Penson

John L. Penson, Esquire

JOHN L. PENSON, P.A. 1900 Sunset Harbour Drive, 2nd Floor Annex, Miami Beach, FL 33139-Tel: 305- 532-1400- Fax: 305-675-6390

COMPOSITE EXHIBIT "A"

JOHN L. PENSON, P.A. 1900 Sunset Harbour Drive, 2nd Floor Annex, Miami Beach, FL 33139-Tel: 305- 532-1400- Fax: 305-675-6390 Miami-Dade County, Florida

2019 Delinquent Tax Certificate

FOLIO NUMBER

MUNICIPALITY

MILL CODE 0600

06-2125-027-1100

BIEN-AIMES FAMILY LLC 531 NE 133 ST NO MIAMI, FL 33161

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Property Address 70 NE 134 ST

DESCRIPTION		BILL DETAILS	······································	
DESCRIPTION Tax Due Auction Listing Fee Advertisement Fee Tax Coll. Comm. Delinquency Interest Cert. Redemption Fee Certificate Interest				AMOUNT 4,588.01 15.00 5.00 239.72 206.46 6.25 252.71
Amount Due				\$5,313.15
Amount Due				\$5,313.15
Amount Due Certificate Issued: June 15, 2020	AMOUNT IF Face: 5,054.19 Rate: 0.25%	PAID BY (pay only one an Cert #11690 Bidder #739201	nount) If Received By Please Pay	\$5,313.15 Apr 30, 2021 \$5,313.15
Certificate Issued: June 15, 2020 Save Time, Pay Online, www.r	Face: 5,054.19 Rate: 0.25%	Cert #11690	If Received By Please Pay	Apr 30, 2021
Certificate Issued: June 15, 2020 Save Time. Pay Online. www.r 9 Delinquent Tax tificate Redemption	Face: 5,054.19 Rate: 0.25% miamidade.gov + F	Cert #11690 Bidder #739201 RETAIN FOR YOUR RECORDS	If Received By Please Pay S + ITH YOUR PAYMENT + Co	Apr 30, 2021
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2020 Reminder Real Estate Property Taxes

Notice of Ad Valorem Tax and Non-Ad Valorem Assessments

FOLIO NUMBER	MUNICIPALITY		MILL CODE	
06-2125-027-1100	NORTH MIAMI		0600	
BIEN-AIMES FAMILY LLC 531 NE 133 ST NO MIAMI, FL 33161	Property Address 70 NE 134 ST	<u>Exemptions:</u>		
	A	DDITIONAL PRIOR YEAR PR ARE NOT INCLUDED IN TH www.miamidade.gov		
	AD VALOREM TAXES			
	Taxes now due are the current owne	r's responsibility.		
are not paid prior to which may result in If you filed a VAB Per requirement, the an	Florida Statute, if 2020 taxes on your proper o June 1, 2021, a tax certificate will be issu- loss of property at a future date. tition and have met the 75% payment nount due reflects the remaining balance. Office recommends you pay the remaining 0 property taxes.	-/	021 \$5,117.79	
	Payment must be by cashier's check or n Postmarks will not be honored for delir	-		
020 Reminder Real Estate Property Taxes		·····	iline. www.miamidade.gov	
2ERTY ADDRESS 134 ST <u>L DESCRIPTION</u> 141 PB 65-15 ZZESWEPT ESTS 2ND ADDN B BLK 30 SIZE 75.000 X 100 0288-04	 1 + 0 6 2 1 2 5 0 2 7 1 1 0 0 + 2 0 Make checks payable to: Miami-Dade Tax ((in U.S. funds drawn on U.S. banks) Delinquent Taxes must be paid by Cashier's Check, Money O Funds. Amount due may be subject to change withou Mail payments to: 200 NW 2nd Avenue, Miami, FL ADDITIONAL PRIOR YEAR PROPERTY TAXI ARE NOT INCLUDED IN THIS BILL. For a www.miamidade.gov or call 305-270 	rder, or Certified t notice. 33128 ES OWED AND mount visit	By Please Pay 0 , 2021 \$5,117.79 2 8, 2021 \$5,117.79	
BIEN-AIMES FAMILY LLC 531 NE 133 ST				

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