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Commercial Real Estate

Developer's bankruptcy case dismissed, foreclosure to proceed



A \$19.9 million foreclosure judgment will move forward.

CAYMARES MARTIN ARCHITECTURE AND ENGINEERING DESIGN



By [Brian Bandell](#) – Real Estate Editor, South Florida Business Journal
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Story Highlights

- Judge Robert A. Mark dismissed Aventura Eco-Offices Property Owner's bankruptcy case.
- RL Aventura MOB filed \$15 million foreclosure lawsuit against the developer.
- Lender won \$19.91 million foreclosure judgment, auction rescheduled for July.

The developer of an Aventura medical office project had its bankruptcy case dismissed, so the foreclosure action over the property can now move forward.

U.S. Bankruptcy Judge Robert A. Mark in Miami dismissed the Chapter 11 filing by Aventura Eco-Offices Property Owner LLC on May 20. It was a dismissed with prejudice, so the debtor was ordered not to file again for 180 days. In addition, the lender for the property was told not to reset the date of the foreclosure sale sooner than 60 days.

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In 2024, RL Aventura MOB LLC, an affiliate of Rok Lending, filed a \$15 million [foreclosure lawsuit](#) against Aventura Eco-Offices Property Owner and loan guarantor Marlon Gomez. It concerns the 1.63-acre site at 21291 N.E. 28th Ave.

The site was approved for a seven-story, 263,371-square-foot medical office building. The developer filed notice with Miami-Dade County that it began construction on the project in early 2023, but work is far from completed.

In February, the lender won a \$19.91 million agreed-to foreclosure judgment in that case, and a foreclosure auction was scheduled for April 22.

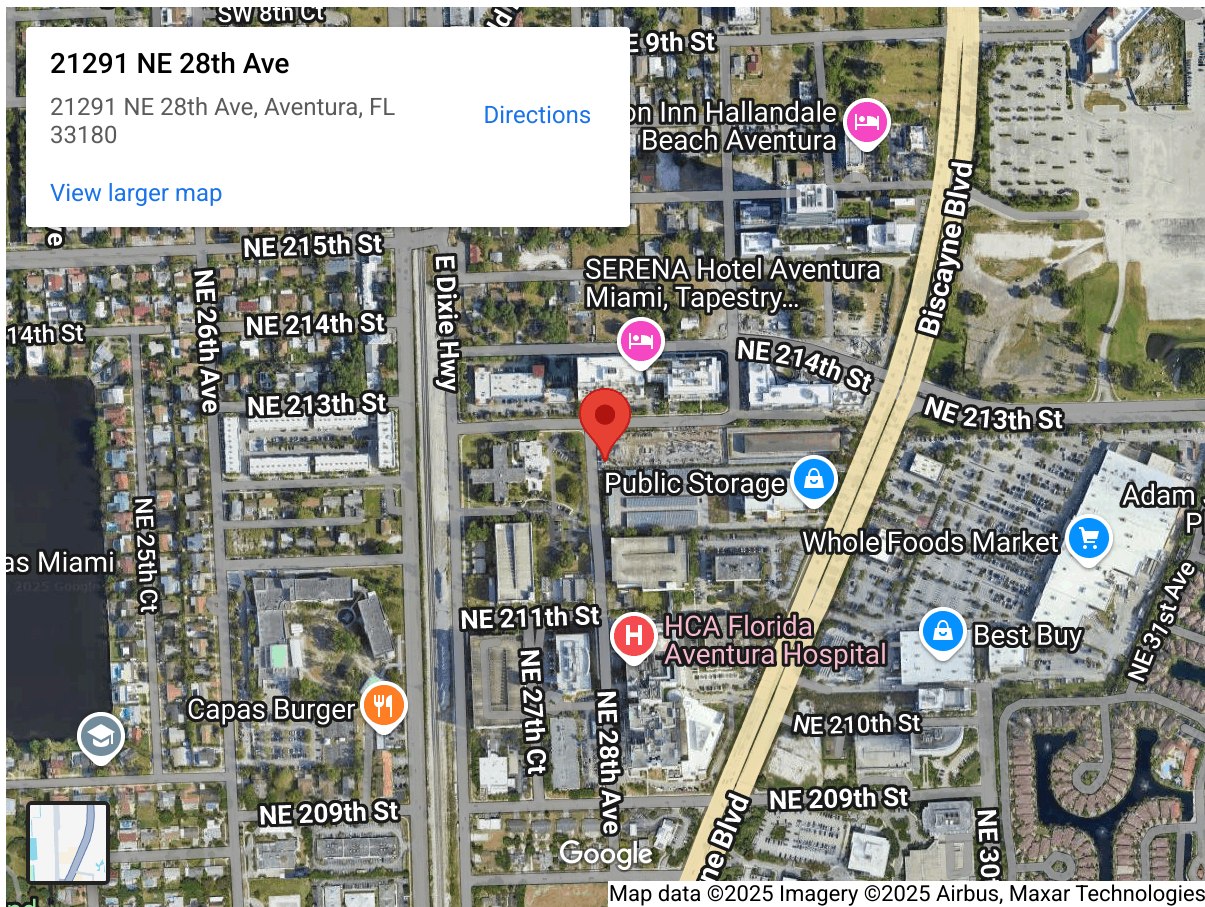
Then, on April 21, Aventura Eco-Offices Property Owner [filed for Chapter 11 reorganization](#) to automatically stay the auction. The lender filed a motion to dismiss the case April 29, calling it a “bad faith filing” in a two-party dispute between a borrower and lender without any other meaningful debts besides the mortgage.

“Notwithstanding its representations that it scoured the financial earth for a viable economic solution for the property in the two-plus years since RL advanced the bridge loan, the debtor has nothing real to show from the effort,” attorney Eric J. Silver said, on behalf of the lender, in the motion to dismiss. “That, in and of itself, is evidence of the lack of equity here and the debtor’s inability to reorganize.”

The lender also stated in the motion that it would cost at least \$190,000 in unpaid permit fees to restart construction on the project. Currently, 30% of the foundation work has been completed, and there are steel rebar columns coming out of the ground. There are also unpaid property taxes for 2023 and 2024.

The debtor did not file a response to the motion to dismiss. Miami-based attorney Celi Aguilar, who represented Aventura Eco-Offices Property Owner in the case, couldn’t be reached for comment.

Meanwhile in Miami-Dade Circuit Court, RL Aventura MOB filed a motion May 23 to reset the date of the foreclosure sale for Aventura Eco-Offices Property Owner to July 21. The judge has yet to rule on that motion.



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