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Miami Developer Emerges Victorious in Real Estate Lawsuit With Help of TA PLLC

The conclusion of multi-year litigation on multiple fronts has allowed the defendant to resume their business activities.

February 6, 2024 | Sean d'Oliveira



The team of attorneys at [TA PLLC](#) recently emerged victorious in a complex legal case regarding a high-value residential real estate project in South Florida. With an estimated worth of tens of millions of dollars, the featured the collaborative expertise of partners from the firm’s real estate and litigation departments, who skillfully navigated through a series of intricate challenges that persisted over a period of almost two years. Despite the numerous obstacles, the attorneys at TA PLLC ultimately achieved a resounding triumph for their client, Vanfu Holdings LLC.

Vanfu Holdings LLC, a Miami-based developer, was represented by TA PLLC in a dispute brought by Yanser Robaina, a minority member and manager. The developer was working on a community of single-family homes near Homestead and Robaina had been appointed to manage the project’s development. Vanfu and Robaina had agreed to split the profits from the development. However, after over three years, the project was barely a quarter of the way developed. The majority member of Vanfu decided to remove Robaina as the manager, which Robaina strongly disagreed with. Robaina immediately filed a lawsuit against Vanfu, seeking almost \$2 million for his alleged contributions to the development.

“Vanfu was essentially playing whack-a-mole in trying to rid itself of liens filed against the project by Robaina and his associates,” says TA PLLC partner Alexander Salinas. “As soon as

Vanfu successfully sought judicial intervention to dissolve a lien, another would spring up out of nowhere.”



Alexander Salinas

Instead of allowing Vanfu to complete the project and share the profits, Robaina chose to take an aggressive legal stance. He aimed to pressure Vanfu into buying him out on his terms.

Within two years, Robaina and his associates filed at least five distinct liens against the project, which caused a standstill. Due to the Robaina liens, no sales were made as buyers were unwilling to buy while the liens were in effect, and no underwriter was willing to “insure over” them. As a result, many purchasers withdrew from their purchase contracts.

After successfully dissolving the first lien, the TA PLLC team encountered another lien just a few weeks later. This second lien was filed by SFMBR Holdings, a brokerage connected to one of Robaina’s long-term business partners. The lien was related to a contract that Robaina allegedly signed for Vanfu despite needing more authority and not receiving approval from most members. The second lien was filed less than a month after Robaina’s removal and the earlier liens.

The legal team of TA PLLC advised their client to initiate a separate, private arbitration with a panel of three arbitrators as per the AAA Commercial Arbitration Rules to dissolve the liens filed by SFMBR and take an offensive approach. SFMBR had filed at least four different lien filings, including one on the threshold of an order dissolving its liens. The team encountered a significant obstacle when their client’s lender filed a foreclosure action against the project while they were fighting to remove the unauthorized liens. During the entire foreclosure process, TA PLLC negotiated hard to keep the lender at bay.

Following a series of legal successes by TA PLLC on behalf of Vanfu, which included a ruling by the arbitrator panel that dissolved all liens, Robaina was left with few options but to resign from Vanfu at no cost to the company. As a result, he abandoned any economic stake he had in the project.

“It is extremely rewarding, and we are very pleased to deliver such a great result for the client after a long, hard battle,” Ari M. Tenzer says (pictured in main photo), the founder of the firm and the real estate partner for the matter. “We were fortunate to have a client who had the appetite to see this to the finish line and allow us to pull out all the stops from a litigation strategy perspective.”