

IN THE CIRCUIT COURT OF THE 15<sup>TH</sup>  
JUDICIAL CIRCUIT IN AND FOR  
PALM BEACH COUNTY, FLORIDA

CASE NO.: 2018-CA-002317

WALTER E. SAHM and  
PATRICIA SAHM

Plaintiffs,

v.

BERNSTEIN FAMILY REALTY, LLC,  
BRIAN O'CONNELL, AS SUCCESSOR  
PERSONAL REPRESENTATIVE OF  
THE ESTATE OF SIMON L. BERNSTEIN;  
ALEXANDRA BERNSTEIN, ERIC BERNSTEIN,  
MICHAEL BERNSTEIN, MOLLY SIMON,  
PAMELA B. SIMON, JILL IANTONI,  
MAX FRIEDSTEIN, LISA FRIEDSTEIN,  
INDIVIDUALLY AND TRUSTEES OF  
THE SIMON L. BERNSTEIN REVOCABLE  
TRUST AGREEMENT DATED MAY 20, 2008,  
AS AMENDED AND RESTATED;  
ELIOT BERNSTEIN, AND CANDICE  
BERNSTEIN, INDIVIDUALLY AND AS  
NATURAL GUARDIANS OF MINOR  
CHILDREN JO., JA. AND D. BERNSTEIN;  
AND ALL UNKNOWN TENANTS.

Defendants.

**PLAINTIFF'S MEMORANDUM IN OPPOSITION TO THE DECLARATION AND  
DESIGNATION OF HOMESTEAD AFTER LEVY  
FLORIDA STATUTES SEC. 222.02**

Plaintiff, CHARLES REVARD, as Guardian of the person and property of PATRICIA SAHM, by and through undersigned counsel, hereby files the within Memorandum in Opposition to the Declaration and Designation of Homestead after Levy Florida Statutes Sec. 222.02 filed by Eliot Bernstein and Candice Berstein on April 13, 2025 (the "Bernstein Declaration") and says:

1. Pursuant to the Bernstein Declaration, homestead protection is sought for the property

located at 2753 NW 34<sup>th</sup> Street, Boca Raton, Florida 33434, which is a .21-acre lot with a single-family home (the “Subject Property”).

2. Section 222 of the Florida Statutes concerns “the method of setting apart homestead and exemptions”.
3. Eliot and Candice Bernstein specifically make the Bernstein Declaration under Fla. Stat. § 222.02, which states,

**222.02 Designation of homestead after levy.**—Whenever a levy is made upon the lands, tenements, mobile home, or modular home of such person whose homestead has not been set apart and selected, such person, or the person’s agent or attorney, may in writing notify the officer making such levy, by notice under oath made before any officer of this state duly authorized to administer oaths, at any time before the day appointed for the sale thereof, of what such person regards as his or her homestead, with a description thereof; and the remainder only shall be subject to sale under such levy.

4. While Fla. Stat. § 222.02 does not use the word “owner”, Florida Courts have held that “Chapter 222 of the Florida Statutes further clarifies the constitutional homestead protection by explaining the process by which **an owner or lessee of real property** can declare his or her homestead rights and prevent an execution of judgment (i.e., a levy sale) against the property.” (*emphasis added*) *Sepulveda v. Westport Recovery Corp.*, 145 So. 3d 162, 166 (Fla. 3d DCA 2014) Section 222.02 allows a **property owner** to serve a notice of homestead exemption on the levying officer after property has been levied upon so long as the notice is served before the date of the levy sale. (*emphasis added*) *Id.*
5. The Bernstein Declaration seeks to invoke “Homestead Protection against Forced Sale under the Florida Constitution, Art. X, § 4(a)(1).” Dec. at ¶ 3.
6. However, the Florida Constitution also contains specific criteria that must be met in order for a property to be exempt from forced sale. Specifically, Article X, Section 4(a)(1) provides:

**SECTION 4. Homestead; exemptions.—**

(a) There shall be exempt from forced sale under process of any court, and no judgment, decree or execution shall be a lien thereon, except for the payment of taxes and assessments thereon, obligations contracted for the purchase, improvement or repair thereof, or obligations contracted for house, field or other labor performed on the realty, the following property **owned by a natural person**:

(1) a homestead, if located outside a municipality, to the extent of one hundred sixty acres of contiguous land and improvements thereon, which shall not be reduced without the owner's consent by reason of subsequent inclusion in a municipality; or if located within a municipality, to the extent of **one-half acre of contiguous land**, upon which the exemption **shall be limited to the residence of the owner or the owner's family.**

*(emphasis added)*

7. The Warranty Deed attached to the Bernstein Declaration evidences that on June 18, 2008, Walter E. Sahm and Patricia Sahm sold the Subject Property to Bernstein Family Realty, LLC, (“BFR”) who has been the owner of the Subject Property from that time.
8. The language is clear that a homestead located within a municipality, “shall be limited to the residence of the owner or the owner’s family.” The use of the word “shall” leaves no argument as to whether ownership is an unavoidable requirement for a homestead exemption to apply.
9. Florida Courts have found that the plain language of Article X, Section 4(a) of the Florida Constitution requires that the owner of the property be a natural person to claim the homestead exemption. The use of the term “natural persons” excludes corporations, partnerships, limited partnerships, limited liability companies and professional associations from claiming homestead exemptions in property, resided in by their managers, members, officers and shareholders, but titled in the name of the business entity. Therefore, it is error for a trial court to determine that a corporation can hold a homestead exemption on real

property. *DeJesus v. A.M.J.R.K. Corp.*, 255 So. 3d 879, 881 (Fla. 2d DCA 2018).

10. Here, there is no question that the owner of the Subject Property is a Florida limited liability company, BFR, and has continued to be since issuance of the Warranty Deed in 2008. Accordingly, it is unable to assert any homestead exemption on the Subject Property.
11. The Bernstein Declaration asserts, “that under the Florida Constitution and law actual 'family' occupancy and the intention to continue occupying the home have been held to be the key qualifications for homestead status and the protections deriving from that status under the Florida Constitution. (Dec. ¶ 16) However, Eliot and Candice Bernstein are unable to make any claims as to occupying the Subject Property as the “owner’s family” as BFR is not a natural person and therefore cannot have a “family”.
12. The Bernstein Declaration goes on to posture “that under Florida Constitution and law it does not designate how title to the property is to be held and it does not limit the estate that must be owned, i.e., fee simple, life estate, or some lesser interest. Moreover, it does not define the nature of the dwelling that may constitute a "residence" for Homestead Protection.” (Dec. ¶ 15) This is misguided as the Court in *DeJesus* clarified that while an interest in property need not be fee simple to obtain an exemption, the person claiming homestead protection must have some ownership interest in the property. *Id.* Here, Eliot and Candice Bernstein clearly have no such interest and are therefore precluded from homestead protection.
13. The Bernstein Declaration claims that Eliot and Candice are the “beneficial owners of the real property, home and dwelling” (Dec. ¶ 6) and that the “official title of the home, dwelling, and real property was specifically done as Asset Protection”. However, the Court should note that the Electronic Articles of Organization of BFR, filed on June 2, 2008, shortly before the Warranty Deed was executed, listed only one managing

member/manager – Simon Bernstein. **(Exhibit A)**

14. In 2009, BFR filed its Annual Report on April 20, 2009 and listed its Principal Place of Business and Mailing Address as 950 Peninsula Corporate Circle, Suite 3010, Boca Raton, Florida 33487, not the Subject Property **(Exhibit B)**

15. On September 29, 2010, BFR failed its LLC Reinstatement after failing to timely to file its Annual Report. Again, only Simon Bernstein was listed at the Peninsula Address. **(Exhibit C)** BFR timely filed its Annual Reports in 2011 and 2012 listing the same information. **(Composite Exhibit D)**

16. In 2013, BFR filed its Annual Report and changed its Principal Place of Business to the Subject Property, and listed its sole Manager as Oppenheimer Trust Company, with a mailing address in Florham, Park, New Jersey. **(Exhibit E)**

17. Oppenheimer remained the Manager of BFR with the Subject Property as the Principal Place of Business and Mailing Address in Delaware from 2014 through 2016. **(Composite Exhibit F)**

18. On July 11, 2016, Oppenheimer resigned as Manager of BFR “per Court Order dated 6/7/16.” **(Exhibit G)**

19. BFR remained an inactive entity for seven (7) years, through March 16, 2023. This period of inactivity continued through Plaintiff’s filing of its Notice of Lis Pendens on March 3, 2020. **(Exhibit H)**

20. It is important to note the filing of Plaintiff’s Complaint and Notice of Lis Pendens on March 3, 2020. Thereafter, all were placed on notice of the foreclosure. At that time, neither Candice nor Eliot Bernstein were owners or in any way involved as managers of BFR.

21. When BFR filed its LLC Reinstatement on March 16, 2023 it listed BFR’s Principal Place of Business and Mailing Address as the Subject Property. The 2023 Reinstalment listed

Joshua Bernstein as Manager, and Daniel Bernstein, Jacob Bernstein, Eliot Bernstein, Candice Bernstein and non-relative Kevin Hall as Assistant Managers, proving that BFR was not a “family” entity (**Exhibit I**).

22. BFR was again inactive in 2024 until March 19, 2025, when it again filed its LLC Reinstatement listing the same addresses and managers as 2023 (**Exhibit J**).

23. Further, despite claiming that Eliot and Candice have “contributed to the upkeep and maintenance” of the Subject Property (Dec. ¶ 13), review of the Palm Beach County Tax Collector Records shows that for tax years 2018 through 2024 neither Eliot nor Candice Bernstein have paid a single year of property taxes. (**Exhibit K**) Payment of property taxes is a fundamental responsibility of anyone claiming to have an “ownership interest” in a property and their willful decision not to do so show their willful disregard of such responsibilities.

24. In summary, the uncontroverted public records show that prior to the Lis Pendens neither Eliot nor Candice Bernstein had any interest in BFR and the Subject Property has never been owned by them. Based on Florida law, Eliot and Candice Bernstein have established no right to homestead in the Subject Property owned by the Florida limited liability company, BFR. As such, the Subject Property is not exempt from foreclosure sale, which was consummated on April 14, 2025.

**WHEREFORE**, Plaintiff CHARLES REVARD, as Guardian of the Property of PATRICIA SAHM, prays this Court enter an Order declaring that Eliot and Candice Bernstein are not entitled to homestead protection under Florida Constitution, Art. X, § 4(a)(1).

**SWEETAPPLE, BROEKER & MILLER, P.L.**

*Attorneys for Plaintiff*

4800 N. Federal Hwy., Suite D306

Boca Raton, Florida 33431

Tel.: (561) 392-1230

E-Mail: Pleadings@Sweetapplelaw.com

By: /s/ Cynthia J. Miller

**CYNTHIA J. MILLER, ESQ.**

Florida Bar No. 1007692

**ROBERT A. SWEETAPPLE, ESQ.**

Florida Bar No. 0296988

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished via the E-Filing Portal to all parties listed on the Service List on the portal via email on this 14<sup>th</sup> day of August, 2025.

By: /s/ Cynthia J. Miller

**CYNTHIA J. MILLER, ESQ.**

Florida Bar No. 1007692

**Electronic Articles of Organization  
For  
Florida Limited Liability Company**

**L08000054043  
FILED 8:00 AM  
June 02, 2008  
Sec. Of State  
gharvey**

**Article I**

The name of the Limited Liability Company is:  
BERNSTEIN FAMILY REALTY LLC

**Article II**

The street address of the principal office of the Limited Liability Company is:  
950 PENINSULA CORPORATE CIRCLE  
SUITE 3010  
BOCA RATON, FL. 33487

The mailing address of the Limited Liability Company is:  
950 PENINSULA CORPORATE CIRCLE  
SUITE 3010  
BOCA RATON, FL. 33487

**Article III**

The purpose for which this Limited Liability Company is organized is:  
ANY AND ALL LAWFUL BUSINESS.

**Article IV**

The name and Florida street address of the registered agent is:  
DONALD R TESCHER  
2101 CORPORATE BLVD.  
SUITE 107  
BOCA RATON, FL. 33431

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: DONALD R. TESCHER

EXHIBIT A



## **Article V**

The name and address of managing members/managers are:

Title: MGR  
SIMON BERNSTEIN  
950 PENINSULA CORPORATE CIRCLE STE 3010  
BOCA RATON, FL. 33431 US

**L08000054043**  
**FILED 8:00 AM**  
**June 02, 2008**  
**Sec. Of State**  
gharvey

Signature of member or an authorized representative of a member

Signature: ROBERT L. SPALLINA

# 2009 LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L08000054043

FILED  
Apr 20, 2009  
Secretary of State

Entity Name: BERNSTEIN FAMILY REALTY LLC

**Current Principal Place of Business:**

950 PENINSULA CORPORATE CIRCLE  
SUITE 3010  
BOCA RATON, FL 33487

**New Principal Place of Business:**

**Current Mailing Address:**

950 PENINSULA CORPORATE CIRCLE  
SUITE 3010  
BOCA RATON, FL 33487

**New Mailing Address:**

FEI Number:

FEI Number Applied For ( )

FEI Number Not Applicable (X)

Certificate of Status Desired ( )

**Name and Address of Current Registered Agent:**

TESCHER, DONALD R  
2101 CORPORATE BLVD.  
SUITE 107  
BOCA RATON, FL 33431 US

**Name and Address of New Registered Agent:**

T & S REGISTERED AGENTS, LLC  
4855 TECHNOLOGY WAY, SUITE 720  
BOCA RATON, FL 33431 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: DONALD R. TESCHER

04/20/2009

Electronic Signature of Registered Agent

Date

**MANAGING MEMBERS/MANAGERS:**

Title: MGR ( ) Delete  
Name: BERNSTEIN, SIMON  
Address: 950 PENINSULA CORPORATE CIRCLE STE 3010  
City-St-Zip: BOCA RATON, FL 33431 US

**ADDITIONS/CHANGES:**

Title: ( ) Change ( ) Addition  
Name:  
Address:  
City-St-Zip:

## EXHIBIT B

I hereby certify that the information supplied with this filing does not qualify for the exemption stated in Chapter 119, Florida Statutes. I further certify that the information indicated on this report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 608, Florida Statutes.

SIGNATURE: SIMON BERNSTEIN

MGR

04/20/2009

Electronic Signature of Signing Managing Member, Manager, or Authorized Representative / Date

# **2010 LIMITED LIABILITY COMPANY REINSTATEMENT**

DOCUMENT# L08000054043

**FILED**  
**Sep 29, 2010**  
**Secretary of State**

**Entity Name:** BERNSTEIN FAMILY REALTY LLC

**Current Principal Place of Business:**

950 PENINSULA CORPORATE CIRCLE  
SUITE 3010  
BOCA RATON, FL 33487

**New Principal Place of Business:**

**Current Mailing Address:**

950 PENINSULA CORPORATE CIRCLE  
SUITE 3010  
BOCA RATON, FL 33487

**New Mailing Address:**

**FEI Number:**

**FEI Number Applied For ( )**

**FEI Number Not Applicable (X)**

**Certificate of Status Desired ( )**

**Name and Address of Current Registered Agent:**

T & S REGISTERED AGENTS, LLC  
4855 TECHNOLOGY WAY, SUITE 720  
BOCA RATON, FL 33431 US

**Name and Address of New Registered Agent:**

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: DIANA BANKS

Electronic Signature of Registered Agent

Date

**MANAGING MEMBERS/MANAGERS:**

Title: MGR  
Name: BERNSTEIN, SIMON  
Address: 950 PENINSULA CORPORATE CIRCLE STE 3010  
City-St-Zip: BOCA RATON, FL 33431 US

EXHIBIT C

I hereby certify that the information indicated on this report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 608, Florida Statutes.

SIGNATURE: DIANA BANKS

MRS

09/29/2010

Electronic Signature of Signing Managing Member, Manager, or Authorized Representative / Date

# **2011 LIMITED LIABILITY COMPANY ANNUAL REPORT**

DOCUMENT# L08000054043

**FILED**  
**Apr 14, 2011**  
**Secretary of State**

**Entity Name:** BERNSTEIN FAMILY REALTY LLC

**Current Principal Place of Business:**

950 PENINSULA CORPORATE CIRCLE  
SUITE 3010  
BOCA RATON, FL 33487

**New Principal Place of Business:**

**Current Mailing Address:**

950 PENINSULA CORPORATE CIRCLE  
SUITE 3010  
BOCA RATON, FL 33487

**New Mailing Address:**

**FEI Number:**

**FEI Number Applied For ( )**

**FEI Number Not Applicable (X)**

**Certificate of Status Desired ( )**

**Name and Address of Current Registered Agent:**

T & S REGISTERED AGENTS, LLC  
4855 TECHNOLOGY WAY, SUITE 720  
BOCA RATON, FL 33431 US

**Name and Address of New Registered Agent:**

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

\_\_\_\_\_  
Electronic Signature of Registered Agent

\_\_\_\_\_  
Date

**MANAGING MEMBERS/MANAGERS:**

Title: MGR  
Name: BERNSTEIN, SIMON  
Address: 950 PENINSULA CORPORATE CIRCLE STE 3010  
City-St-Zip: BOCA RATON, FL 33431 US

EXHIBIT D

I hereby certify that the information indicated on this report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 608, Florida Statutes.

SIGNATURE: SIMON BERNSTEIN

MR

04/14/2011

\_\_\_\_\_  
Electronic Signature of Signing Managing Member, Manager, or Authorized Representative / Date

# **2012 LIMITED LIABILITY COMPANY ANNUAL REPORT**

DOCUMENT# L08000054043

**FILED**  
**Jan 05, 2012**  
**Secretary of State**

**Entity Name:** BERNSTEIN FAMILY REALTY LLC

**Current Principal Place of Business:**

950 PENINSULA CORPORATE CIRCLE  
SUITE 3010  
BOCA RATON, FL 33487

**New Principal Place of Business:**

**Current Mailing Address:**

950 PENINSULA CORPORATE CIRCLE  
SUITE 3010  
BOCA RATON, FL 33487

**New Mailing Address:**

**FEI Number:**

**FEI Number Applied For ( )**

**FEI Number Not Applicable (X)**

**Certificate of Status Desired ( )**

**Name and Address of Current Registered Agent:**

T & S REGISTERED AGENTS, LLC  
4855 TECHNOLOGY WAY, SUITE 720  
BOCA RATON, FL 33431 US

**Name and Address of New Registered Agent:**

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

**SIGNATURE:**

\_\_\_\_\_  
Electronic Signature of Registered Agent

\_\_\_\_\_  
Date

**MANAGING MEMBERS/MANAGERS:**

**Title:** MGR  
**Name:** BERNSTEIN, SIMON  
**Address:** 950 PENINSULA CORPORATE CIRCLE STE 3010  
**City-St-Zip:** BOCA RATON, FL 33431 US

I hereby certify that the information indicated on this report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 608, Florida Statutes.

**SIGNATURE:** SIMON BERNSTEIN

MR

01/05/2012

\_\_\_\_\_  
Electronic Signature of Signing Managing Member, Manager, or Authorized Representative / Date

**2013 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT**

DOCUMENT# L08000054043

**Entity Name:** BERNSTEIN FAMILY REALTY LLC

**Current Principal Place of Business:**

2753 NW 34TH STREET  
BOCA RATON, FL 33434

**Current Mailing Address:**

OPPENHEIMER TRUST COMPANY  
18 COLUMBIA TURNPIKE, 3RD FLOOR  
FLORHAM PARK, NJ 07932 US

**FEI Number:** 26-2735064

**Certificate of Status Desired:** Yes

**Name and Address of Current Registered Agent:**

T & S REGISTERED AGENTS, LLC  
4855 TECHNOLOGY WAY, SUITE 720  
BOCA RATON, FL 33431 US

*The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.*

**SIGNATURE:**

\_\_\_\_\_  
Electronic Signature of Registered Agent

\_\_\_\_\_  
Date

**Authorized Person(s) Detail :**

Title MGR

Name OPPENHEIMER TRUST COMPANY

Address OPPENHEIMER TRUST COMPANY  
18 COLUMBIA TURNPIKE, 3RD FLOOR

City-State-Zip: FLORHAM PARK NJ 07932

EXHIBIT E

*I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 608, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.*

**SIGNATURE: OPPENHEIMER TRUST COMPANY BY: JANET  
CRAIG**

**SENIOR VICE PRESIDENT 04/12/2013**

\_\_\_\_\_  
Electronic Signature of Signing Authorized Person(s) Detail

\_\_\_\_\_  
Date

**2014 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT**

DOCUMENT# L08000054043

**Entity Name:** BERNSTEIN FAMILY REALTY LLC

**Current Principal Place of Business:**

2753 NW 34TH STREET  
BOCA RATON, FL 33434

**Current Mailing Address:**

OPPENHEIMER TRUST COMPANY OF DE  
405 SILVERSIDE ROAD SUITE 250  
WILMINGTON, DE 19809 US

**FEI Number:** 26-2735064

**Certificate of Status Desired:** Yes

**Name and Address of Current Registered Agent:**

T & S REGISTERED AGENTS, LLC  
4855 TECHNOLOGY WAY, SUITE 720  
BOCA RATON, FL 33431 US

*The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.*

**SIGNATURE:**

\_\_\_\_\_  
Electronic Signature of Registered Agent

\_\_\_\_\_  
Date

**Authorized Person(s) Detail :**

Title MGR  
Name OPPENHEIMER TRUST COMPANY  
Address OPPENHEIMER TRUST COMPANY OF  
DE  
405 SILVERSIDE ROAD SUITE 250  
City-State-Zip: WILMINGTON DE 19809

EXHIBIT F

*I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.*

**SIGNATURE:** OTCDE BY: JANET CRAIG

**SENIOR VICE PRESIDENT 03/19/2014**

\_\_\_\_\_  
Electronic Signature of Signing Authorized Person(s) Detail

\_\_\_\_\_  
Date

**2015 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT**

DOCUMENT# L08000054043

**Entity Name:** BERNSTEIN FAMILY REALTY LLC

**Current Principal Place of Business:**

2753 NW 34TH STREET  
BOCA RATON, FL 33434

**Current Mailing Address:**

OPPENHEIMER TRUST COMPANY OF DE  
405 SILVERSIDE ROAD SUITE 250  
WILMINGTON, DE 19809 US

**FEI Number:** 26-2735064

**Certificate of Status Desired:** No

**Name and Address of Current Registered Agent:**

T & S REGISTERED AGENTS, LLC  
4855 TECHNOLOGY WAY, SUITE 720  
BOCA RATON, FL 33431 US

*The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.*

**SIGNATURE:**

\_\_\_\_\_  
Electronic Signature of Registered Agent

\_\_\_\_\_  
Date

**Authorized Person(s) Detail :**

Title MGR  
Name OPPENHEIMER TRUST COMPANY  
Address OPPENHEIMER TRUST COMPANY OF  
DE  
405 SILVERSIDE ROAD SUITE 250  
City-State-Zip: WILMINGTON DE 19809

*I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.*

**SIGNATURE:** JANET CRAIG

**SENIOR VICE PRESIDENT** 04/27/2015

\_\_\_\_\_  
Electronic Signature of Signing Authorized Person(s) Detail

\_\_\_\_\_  
Date



**2016 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT**

DOCUMENT# L08000054043

**Entity Name:** BERNSTEIN FAMILY REALTY LLC

**Current Principal Place of Business:**

2753 NW 34TH STREET  
BOCA RATON, FL 33434

**Current Mailing Address:**

OPPENHEIMER TRUST COMPANY OF DE  
405 SILVERSIDE ROAD SUITE 250  
WILMINGTON, DE 19809 US

**FEI Number:** 26-2735064

**Certificate of Status Desired:** No

**Name and Address of Current Registered Agent:**

T & S REGISTERED AGENTS, LLC  
4855 TECHNOLOGY WAY, SUITE 720  
BOCA RATON, FL 33431 US

*The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.*

**SIGNATURE:**

\_\_\_\_\_  
Electronic Signature of Registered Agent

\_\_\_\_\_  
Date

**Authorized Person(s) Detail :**

Title MGR  
Name OPPENHEIMER TRUST COMPANY  
Address OPPENHEIMER TRUST COMPANY OF  
DE  
405 SILVERSIDE ROAD SUITE 250  
City-State-Zip: WILMINGTON DE 19809

*I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.*

**SIGNATURE:** JANET CRAIG

**SENIOR VICE PRESIDENT** 03/28/2016

\_\_\_\_\_  
Electronic Signature of Signing Authorized Person(s) Detail

\_\_\_\_\_  
Date

LOF000054043

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐

PICK-UP

☐

WAIT

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MAIL

(Business Entity Name)

(Document Number)

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SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

2016 JUL 11 P 4:29

FILED

EXHIBIT G

JUN 12 2016  
J. PRUCE

## COVER LETTER

**TO:** Registration Section  
Division of Corporations

**SUBJECT:** Bernstein Family Realty, LLC  
(Name of Limited Liability Company)

The enclosed member, resignation or dissociation and fee(s) are submitted for filing.

Please return all correspondence concerning this matter to:

Attn: Janet Craig, SVP  
(Contact Person)

Oppenheimer Trust Company of Delaware  
(Firm/Company)

405 Silverside Road, Suite 250  
(Address)

Wilmington, DE 19809  
(City/State and Zip Code)

For further information concerning this matter, please call:

Janet Craig, SVP at (302) 792-3502  
(Name of Contact Person) (Area Code & Daytime Telephone Number)

Enclosed please find a check made payable to the Florida Department of State for:

☐ \$25 Filing Fee

☒ \$55 Filing Fee & Certified Copy

**STREET/COURIER ADDRESS:**

Registration Section  
Division of Corporations  
Clifton Building  
2661 Executive Center Circle  
Tallahassee, Florida 32301

**MAILING ADDRESS:**

Registration Section  
Division of Corporations  
P.O. Box 6327  
Tallahassee, Florida 32314

FILED  
2016 JUL 11 P 4:29  
TALLAHASSEE, FLORIDA



FLORIDA DEPARTMENT OF STATE  
DIVISION OF CORPORATIONS

**DISSOCIATION OR RESIGNATION OF MEMBER, MANAGER FROM  
FLORIDA OR FOREIGN LIMITED LIABILITY COMPANY**

(Pursuant to 605.0216, Florida Statutes)

1. The name of the limited liability company as it appears on the records of the Florida Department

of State is: Bernskin Family Realty LLC

2. The Florida document/registration number assigned to this limited liability company is:

208000054043

3. The date this member/manager withdrew/resigned or will withdraw/resign is: per Court Order 6/7/16

4. I, Oppenheimer Trust Co of DE, hereby withdraw/resign as a

(Print Name of Person Resigning)

Manager

(Print Title)

of this limited liability company and affirm the limited liability company has been notified of my resignation in writing.

By: Janet Craig, SVP  
Signature of Dissociating Member or Resigning Manager  
Janet Craig  
Oppenheimer Trust Co. of Delaware

Filing Fee: \$25.00 (Required)  
Certified Copy: \$30.00 (Optional)

FILED  
2016 JUN 11 P 4:29  
TALLAHASSEE, FLORIDA

IN THE CIRCUIT COURT OF THE 15<sup>TH</sup>  
JUDICIAL CIRCUIT IN AND FOR  
PALM BEACH COUNTY, FLORIDA

CASE NO.: 50-2018-CA-002317-XXXX-MB

WALTER E. SAHM and  
PATRICIA SAHM

Plaintiffs,

v.

BERNSTEIN FAMILY REALTY, LLC,  
BRIAN O'CONNELL, AS SUCCESSOR PERSONAL REPRESENTATIVE OF THE ESTATE  
OF SIMON L. BERNSTEIN;  
ALEXANDER BERNSTEIN,  
ERIC BERNSTEIN,  
MICHAEL BERNSTEIN,  
MOLLY SIMON,  
PAMELA B. SIMON,  
JILL IANTONI,  
MAX FRIEDSTEIN,  
LISA FRIEDSTEIN, INDIVIDUALLY AND TRUSTEES OF THE SIMON L. BERNSTEIN  
REVOCABLE TRUST AGREEMENT DATED MAY 20, 2008, AS AMENDED AND  
RESTATED;  
ELIOT BERNSTEIN, AND CANDICE BERNSTEIN, INDIVIDUALLY AND AS NATURAL  
GUARDIANS OF JO., JA. AND D. BERNSTEIN; AND  
ALL UNKNOWN TENANTS.

Defendants

---

**NOTICE OF LIS PENDENS**

**TO DEFENDANTS, BERNSTEIN FAMILY REALTY, LLC, BRIAN O'CONNELL, AS  
SUCCESSOR PERSONAL REPRESENTATIVE OF THE ESTATE OF SIMON L.  
BERNSTEIN; ALEXANDER BERNSTEIN, ERIC BERNSTEIN, MICHAEL  
BERNSTEIN, MOLLY SIMON, PAMELA B. SIMON, JILL IANTONI, MAX  
FRIEDSTEIN, LISA FRIEDSTEIN, INDIVIDUALLY AND TRUSTEES OF THE SIMON  
L. BERNSTEIN REVOCABLE TRUST AGREEMENT DATED MAY 20, 2008, AS  
AMENDED AND RESTATED; ELIOT BERNSTEIN, AND CANDICE BERNSTEIN,**

LAW OFFICES OF SWEETAPPLE, BROEKER & VARKAS, P.L.  
4800 N. FEDERAL HIGHWAY, SUITE D306, BOCA RATON, FLORIDA 33431

EXHIBIT H

**INDIVIDUALLY AND AS NATURAL GUARDIANS OF JO., JA. AND D. BERNSTEIN,  
ALL UNKNOWN TENANTS, AND ALL OTHERS WHOM IT MAY CONCERN:**

**YOU ARE NOTIFIED OF THE FOLLOWING:**

(a) The Plaintiff has instituted this action against you seeking to foreclose a mortgage with respect to the property described below and other counts contained in the Complaint.

(b) The Plaintiffs in this action are WALTER E. SAHM and PATRICIA SAHM.

(c) The case number of the action is as shown in the caption.

(d) The real and personal property that is the subject matter of this action is in Palm Beach County, Florida, and is described as follows:

Real Property:

Lot 68, Block G, Boca Madera Unit 2, according to the plat thereof as recorded in Plat Book 32, Page 59, Public Records of Palm Beach County, Florida.

Dated this 3rd day of March, 2020.

Respectfully submitted,

**SWEETAPPLE, BROEKER & VARKAS, P.L.**

4800 N. Federal Highway, Suite D306

Boca Raton, Florida 33431

Telephone: (561) 392-1230

E-Mail:pleadings@sweetapplelaw.com

By: /S/ Robert A. Sweetapple  
ROBERT A. SWEETAPPLE  
Florida Bar No.:296988

**2023 FLORIDA LIMITED LIABILITY COMPANY REINSTATEMENT**

DOCUMENT# L08000054043

**Entity Name:** BERNSTEIN FAMILY REALTY LLC**Current Principal Place of Business:**2753 NW 34TH STREET  
BOCA RATON, FL 33434**Current Mailing Address:**C/O ELIOT BERNSTEIN  
2753 NW 34TH ST  
BOCA RATON, FL 33434 US**FEI Number:** 26-2735064**Certificate of Status Desired:** No**Name and Address of Current Registered Agent:**ZENBUSINESS, INC  
336 E. COLLEGE AVE.  
STE. 301  
TALLAHASSEE, FL 32301 US*The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.***SIGNATURE:** KHADIJEH HEMMATI

03/16/2023

Electronic Signature of Registered Agent

Date

**Authorized Person(s) Detail :**

|                 |                      |                 |                     |
|-----------------|----------------------|-----------------|---------------------|
| Title           | AMGR                 | Title           | MANAGER             |
| Name            | BERNSTEIN, DANIEL E  | Name            | BERNSTEIN, JOSHUA E |
| Address         | 2753 NW 34TH ST      | Address         | 2753 NW 34TH STREET |
| City-State-Zip: | BOCA RATON FL 33434  | City-State-Zip: | BOCA RATON FL 33434 |
| Title           | AMGR                 | Title           | AMGR                |
| Name            | BERNSTEIN, JACOB N   | Name            | BERNSTEIN, ELIOT I  |
| Address         | 2753 NW 34TH STREET  | Address         | 2753 NW 34TH STREET |
| City-State-Zip: | BOCA RATON FL 33434  | City-State-Zip: | BOCA RATON FL 33434 |
| Title           | AMGR                 | Title           | AMGR                |
| Name            | BERNSTEIN, CANDICE M | Name            | HALL, KEVIN R       |
| Address         | 2753 NW 34TH STREET  | Address         | 2753 NW 34TH STREET |
| City-State-Zip: | BOCA RATON FL 33434  | City-State-Zip: | BOCA RATON FL 33434 |

**EXHIBIT I**

*I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.*

**SIGNATURE:** ELIOT I BERNSTEIN**MANAGER**

03/16/2023

Electronic Signature of Signing Authorized Person(s) Detail

Date

**2025 FLORIDA LIMITED LIABILITY COMPANY REINSTATEMENT**

DOCUMENT# L08000054043

**Entity Name:** BERNSTEIN FAMILY REALTY LLC**Current Principal Place of Business:**2753 NW 34TH STREET  
BOCA RATON, FL 33434**Current Mailing Address:**C/O ELIOT BERNSTEIN  
2753 NW 34TH ST  
BOCA RATON, FL 33434 US**FEI Number:** 26-2735064**Certificate of Status Desired:** No**Name and Address of Current Registered Agent:**ZENBUSINESS, INC  
336 E. COLLEGE AVE.  
STE. 301  
TALLAHASSEE, FL 32301 US*The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.***SIGNATURE:** KHADIJEH HEMMATI

03/19/2025

Electronic Signature of Registered Agent

Date

**Authorized Person(s) Detail :**

|                 |                     |
|-----------------|---------------------|
| Title           | AMGR                |
| Name            | BERNSTEIN, DANIEL E |
| Address         | 2753 NW 34TH ST     |
| City-State-Zip: | BOCA RATON FL 33434 |

|                 |                     |
|-----------------|---------------------|
| Title           | MANAGER             |
| Name            | BERNSTEIN, JOSHUA E |
| Address         | 2753 NW 34TH STREET |
| City-State-Zip: | BOCA RATON FL 33434 |

|                 |                     |
|-----------------|---------------------|
| Title           | AMGR                |
| Name            | BERNSTEIN, JACOB N  |
| Address         | 2753 NW 34TH STREET |
| City-State-Zip: | BOCA RATON FL 33434 |

|                 |                     |
|-----------------|---------------------|
| Title           | AMGR                |
| Name            | BERNSTEIN, ELIOT I  |
| Address         | 2753 NW 34TH STREET |
| City-State-Zip: | BOCA RATON FL 33434 |

|                 |                      |
|-----------------|----------------------|
| Title           | AMGR                 |
| Name            | BERNSTEIN, CANDICE M |
| Address         | 2753 NW 34TH STREET  |
| City-State-Zip: | BOCA RATON FL 33434  |

|                 |                     |
|-----------------|---------------------|
| Title           | AMGR                |
| Name            | HALL, KEVIN R       |
| Address         | 2753 NW 34TH STREET |
| City-State-Zip: | BOCA RATON FL 33434 |

**EXHIBIT J**

*I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.*

**SIGNATURE:** ELIOT I BERNSTEIN**MANAGER**

03/19/2025

Electronic Signature of Signing Authorized Person(s) Detail

Date





# ANNE M. GANNON

## CONSTITUTIONAL TAX COLLECTOR

Serving Palm Beach County Serving you.



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**\$0.00**  
CHECK OUT

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### Account Information

|   |   |   |
|---|---|---|
| <b>Property Control Number:</b><br>06-42-47-10-02-007-0680                                      | <b>Property Type:</b><br>Real Property                              | <b>Status:</b> Active                                       |
| <b>Mailing Address:</b><br>950 PENINSULA CORPORATE CIR STE<br>3010<br>Boca Raton, FL 33487-1387 | <b>Property Address:</b><br>2753 NW 34TH ST<br>BOCA RATON, FL 33434 | <b>Legal Description:</b><br>BOCA MADERA UNIT 2 LT 68 BLK G |
| <b>Owner of Record:</b><br>BERNSTEIN FAMILY REALTY LLC  | <b>Second Owner:</b>  |   |

Last updated: 8/13/2025 01:27:05 AM

2024 Real Estate and Tangible Personal Property Taxes will be delinquent as of April 1, 2025.  
Delinquent Property Tax cannot be paid online.  
Visit our Payment Options page to [view delinquent tax payment options](#).

Interest and associated costs for delinquent taxes are determined by the date payment is received to the Tax Collector.  
A minimum charge of 3% is collected. Interest accrues at up to 1.5% per month (18% annually).

### Tax Bills

Add Tax Bills to the cart then select cart icon (🛒) above to checkout.

Total Payable: \$0.00 Total Due: \$23,783.26

**2024 | Bill Type: Tax Certificate | Bill No: (05/31/2025) 2025:10179 | Roll: |**

Past Due \$12,155.03

NOT PAYABLE



[View Info](#)

[Tax Sale Info](#)

| Date    | Total Tax   | Paid   | Amount Due If Paid By Date  | Status     | Payment Options |
|---------|---|--------|---|------------|-----------------|
| 3/31/25 | <input type="checkbox"/> \$12,155.03<br>Net Tax: \$11,570.27<br>Interest: \$578.51<br>Penalty: \$0.00<br>Fees: \$6.25<br>Discount: \$0.00 | \$0.00 | <input type="checkbox"/> \$12,155.03<br>▶ 8/13/25 \$12,155.03<br>8/31/25 \$12,155.03<br>9/30/25 \$12,155.03<br>10/31/25 \$12,155.03 | ● Past Due |                 |

**2023 | Bill Type: Tax Certificate | Bill No: (05/31/2024) 2024:9763 | Roll: |**

Past Due \$11,628.23

NOT PAYABLE



[View Info](#)

[Tax Sale Info](#)

EXHIBIT K

| Date   | Total Tax  | Paid   | Amount Due If Paid By Date  | Status                         | Payment Options |
|--------|--|--------|---|--------------------------------|-----------------|
| 4/1/24 | <div><div></div>\$11,628.23</div> <div>Net Tax: \$10,906.26</div> <div>Interest: \$715.72</div> <div>Penalty: \$0.00</div> <div>Fees: \$6.25</div> <div>Discount: \$0.00</div> | \$0.00 | <div><div></div>\$11,628.23</div> <div><div>▶</div> 8/13/25 \$11,628.23</div> <div>8/31/25 \$11,628.23</div> <div>9/30/25 \$11,675.95</div> <div>10/31/25 \$11,723.66</div> | <div><div></div>Past Due</div> |                 |

Recently Paid BillsPayment Info - Select to Expand Payment History for PIN

Select the "Tax Year" link to **View Tax Assessment Values** for the entire tax year.

Export data

| Tax Year | Bill Number                | Last Paid | Paid By                                       | Receipt Number | Amount Paid |
|----------|----------------------------|-----------|---|----------------|-------------|
| 2024     | 101299382                  | 5/31/25   | TAX LIEN FUND LP                              | B25.571375     | \$11,570.27 |
| 2023     | (05/31/2023)<br>2023:8288  | 3/31/25   | JOHN M CAPPELLER JR PA                        | U25.293270     | \$10,421.56 |
| 2023     | 101954605                  | 5/31/24   | C & E TAX LIEN FUND I                         | B24.567938     | \$10,906.26 |
| 2022     | 101300680                  | 3/31/25   | JOHN M CAPPELLER JR PA                        | U25.293270     | \$6.25      |
| 2022     | (05/31/2022)<br>2022:8210  | 4/1/24    | JOHN M. CAPPELLER JR.<br>PA.                  | U24.286672     | \$9,287.33  |
| 2022     | 101300680                  | 5/31/23   | PINE VALLEY FL 2022, LLC<br>AND SECURED PARTY | B23.606721     | \$9,925.30  |
| 2021     | 101300373                  | 4/1/24    | JOHN M. CAPPELLER JR.<br>PA.                  | U24.286672     | \$6.25      |
| 2021     | 101300373                  | 5/31/22   | FL HOLDING LLC                                | B22.549264     | \$8,845.08  |
| 2020     | (05/31/2020)<br>2020:10234 | 3/31/21   | DANIEL BERNSTEIN                              | U21.284079     | \$8,122.29  |
| 2020     | 101300674                  | 3/31/21   | DANIEL BERNSTEIN                              | U21.284079     | \$7,428.47  |
| 2019     | 101301492                  | 3/31/21   | DANIEL BERNSTEIN                              | U21.284079     | \$6.25      |
| 2019     | (05/31/2019)<br>2019:10087 | 3/30/21   | JOHN M CAPPELLER DBA<br>CAPPELLER LAW         | U21.281489     | \$7,712.96  |
| 2019     | 101301492                  | 5/31/20   | JUNO TAX, LLC                                 | B20.484057     | \$7,735.51  |
| 2018     | 101302341                  | 3/30/21   | JOHN M CAPPELLER DBA<br>CAPPELLER LAW         | U21.281489     | \$6.25      |
| 2018     | (05/31/2018)<br>2018:10749 | 4/2/20    | CAPPELLER LAW                                 | U20.351478     | \$7,810.22  |
| 2018     | 101302341                  | 5/31/19   | RAM TAX LIEN FUND LP                          | B19.517113     | \$7,345.68  |