

LAWSUITS

# Former Tenant Alleges Surfside Mayor Was a "Predator Landlord"

Defense attorneys retort that the Surfside mayor is a "predator landlord" who took advantage of a Ukrainian businesswoman who speaks English as a second language.

By Alex DeLuca | March 3, 2022



Lawyers for a Ukrainian businesswoman who rented office space from Surfside Mayor Charles Burkett claim he was a "predator landlord." **Photos via Town of Surfside, Google Street View**

As the **Miami-Dade County Courthouse** is lit up in blue and yellow in solidarity with Ukraine and world leaders **condemn the Russian invasion** that has killed hundreds of civilians, Surfside Mayor Charles Burkett continues his lawsuit against a former tenant, a Ukrainian businesswoman, seeking more than \$15,000 in damages.

In 2020, Burkett-Scholl Properties II sued Uliana Bogash for breach of contract in Broward County circuit court after she moved her truck permitting company out of the office she'd been renting from Burkett at 3 Oaks Plaza in Wilton Manors. In recent court filings, Bogash's lawyers stated that their client was under the impression that the lease was renewed annually. However, the contract provided for an initial one-year term followed by an automatic three-year renewal – "unbeknownst" to Bogash, "who only speaks English as a second language."

Bogash and her attorneys claim Burkett is a "predator landlord" who'd been "engaging in an illegal scheme to defraud and take advantage of an immigrant businesswoman...attempting to make a living in the United States," according to a motion to dismiss filed last October by Bogash's attorneys, Joshua Kon and Michael Bonner of Stok Kon + Braverman in Fort Lauderdale.

The case is ongoing. Last Friday, a Broward judge granted Bogash's motion to compel Burkett's deposition, scheduled for Wednesday, March 9.

The recent suffering among Ukrainians has not inspired a change of heart on Burkett's part.

"[Bogash] unilaterally failed to honor the terms of our lease, which included abandoning the unit prior to the end of the lease, among other breaches," the mayor wrote in a statement to *New Times* on Wednesday. "With respect to the claim that we have acted predatorily, there is no credible evidence to support that contention – rather we have simply moved to protect our rights as outlined in our agreement with our former tenant."

Burkett was thrust into the international spotlight immediately following the devastating Champlain Towers condo collapse last summer. But after the community banded together and all 98 victims were identified, unflattering media reports about the town's leader began to trickle out – his flouting of **debunked conspiracy theories** about what triggered the collapse, his anti-vaccine sentiments, and his **squabbles with fellow commissioners**.

Burkett, a landlord of several residential and commercial buildings across South Florida, has been **criticized by tenants of the Lois apartment building** on Normandy Isle, who say he has failed to repair leaks, a broken elevator, and a balcony damaged during Hurricane Irma in 2017 – and **criticized again** when he gave them only 45 days to vacate their units to conduct the overdue repairs.

Bogash's attorneys didn't immediately respond to *New Times'* request for comment via

phone and email on Wednesday.

*[Editor's note, March 7, 2022: After this story was published, Surfside Mayor Charles Burkett informed New Times that in 2018 Uliana Bogash and a codefendant settled charges by the Federal Trade Commission that her business, DOTAuthority.com Inc., "impersonated, or falsely claimed affiliation with, the U.S. Department of Transportation and other government agencies to get small trucking businesses to pay them for federal and state motor carrier registrations." As part of the settlement, the defendants agreed to pay \$900,000 to "defrauded consumers."]*

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BURKETT-SCHOLL PROPERTIES, II	IN THE COUNTY COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA
Plaintiff,	CASE NO: COCE-20-022051
v.	
ULIANA BOGASH,	
Defendant.	

**DEFENDANT'S MOTION TO DISMISS COMPLAINT**

Defendant, ULIANA BOGASH ("Ms. Bogash"), by and through the undersigned counsel, and pursuant to Florida Rule of Civil Procedure 1.140, hereby moves to dismiss Plaintiff BURKETT-SCHOLL PROPERTIES, II's ("BSP") August 30, 2020 Complaint:

**INTRODUCTION**

The unfortunate reality of this matter is that it involves a predator landlord engaging in an illegal scheme to defraud and take advantage of an immigrant businesswoman who only speaks English as a second language and who is attempting to make a living in the United States. Acting with

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**ALEX DELUCA** is a staff writer at *Miami New Times*.

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