

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

UNITED STATES OF AMERICA

Plaintiff,

v.

Case No. 6:26-cv-1134-AGM-LHP

**ASSETS IDENTIFIED IN
PARAGRAPH ONE OF
VERIFIED COMPLAINT**

Defendants.

JUDGMENT OF FORFEITURE OF DEFENDANT REAL PROPERTIES

THIS CAUSE comes before the Court on the United States' Consent Motion for Judgment of Forfeiture, (Doc. # 79), for the following real properties:

- (1) The real property located at 5271 Isleworth Country Club Drive, Windermere, Florida 34786, titled in the name of Christopher Delgado, including all improvements thereon and appurtenances thereto, the legal description for which is as follows:

Lots 228 and 229, Isleworth, according to the map or plat thereof, as recorded in Plat Book 16, Pages 118 through 130, inclusive, of the Public Records of Orange County, Florida.

Property Identification Number: 16-23-28-3899-02280;

- (2) The real property located at 141 S. Phelps Avenue, Winter Park, Florida 32789, titled in the name of Christopher Delgado and Andie Delgado, including all improvements thereon and appurtenances thereto, the legal description for which is as follows:

Lot 14, Windsong - Lakeside Section One, according to the plat thereof as recorded in Plat Book 43, Page 70, Public Records of Orange County, Florida.

Property Identification Number: 08-22-30-9362-00140;

- (3) The real property located at 17416 Bal Harbour Drive, Winter Garden, Florida 34787, titled in the name of Habibi Holdings LLC, including all

improvements thereon and appurtenances thereto, the legal description for which is as follows:

Lot 291, of Waterside on Johns Lake - Phase 2B, according to the plat thereof, as recorded in Plat Book 93, Page 65, of the Public Records of Orange County, Florida. Property

Identification Number: 06-23-27-8903-02-910;

- (4) The real property located at 222 Pawnee Trail, Kissimmee, Florida 34747, titled in the name of Christopher Delgado, including all improvements thereon and appurtenances thereto, the legal description for which is as follows:

Lot 280, Happy Trails Unit 4, according to the Plat thereof, as recorded in Plat Book 2, at Page 196, of the Public Records of Osceola County, Florida.

Property Identification Number: 20-25-27-3303-0001-2800; (e)

- (5) The real property located at 189 S. Orange Avenue, Unit 1800S, 1810S, 1820S, and 1870S, Orlando, Florida 32801, titled in the name of Habibi HQ LLC, including all improvements thereon and appurtenances thereto and rights to approximately 30 associated parking spots, the legal description for which is as follows:

Unit Numbers 1810S, 1820S, 1800S and 1870S, of The Plaza South Tower Commercial Condominium, a Condominium, according to The Declaration of Condominium recorded in O.R Book 8820, Page 4417, and all exhibits and amendments thereof, and recorded in condominium Book 35, Page 67 and Condominium Book 40, Page 1, Public Records of Orange County, Florida.

Property Identification Numbers: 26-22-29-7157-18-000; 26-22- 29-7157-18-100; 26-22-29-7157-18-200; and 26-22-29-7157-18- 700;

Together with, by Assignment of Parking Easement Agreement, the rights to use and occupy the following parking spaces in the Parking Unit of the Plaza Land Condominium:

Parking Space Nos.: 768, 769, 770, 772, and 773 [5 spaces associated with Unit 1800S]

Parking Space Nos.: 658, 659, 660, 661, 664, 665, 666, 667, 668, 669, 670, 671, and 672 [13 spaces associated with Unit 1820S]; and

Parking Space Nos.: 727, 728, 760, 761, 762, 763, 764, 765, 766, 767, 788, and 789 [12 spaces associated with Unit 1870S]; and

- (6) The real property located at 7333 Bella Foresta Place, Sanford, Florida 32771, titled in the name of Christopher Alexander Delgado, including all improvements thereon and appurtenances thereto, the legal description for which is as follows:

Lot 1, Bella Foresta Replat, a subdivision according to the plat thereof recorded in Plat Book 77, Pages 55 and 56, of the Public Records of Seminole County, Florida.

Property Identification Number: 27-19-29-505-0000-0010;

(collectively, “the Defendant Properties”).

Having been fully advised in the premises, the Court finds that the Defendant Properties are subject to forfeiture as proceeds, in violation of 18 U.S.C. § 1343 and are, therefore, subject to civil forfeiture by the United States, under 18 U.S.C. § 981(a)(1)(C). (Doc. # 1.) Additionally, the monetary transactions made to purchase the Defendant Properties, were conducted in violation of 18 U.S.C. § 1957 because they were knowingly conducted with more than \$10,000 in funds derived from specified unlawful activity (specifically, wire fraud), and, as such, they are subject to civil forfeiture under 18 U.S.C. § 981(a)(1)(A). *Id.*

The Court further finds that the United States has properly complied with 18 U.S.C. § 985(c)(1) by filing a Verified Complaint for Forfeiture *In Rem* against the Defendant Properties. (Doc. # 1.) Additionally, the United States has posted a notice of the Complaint on the Defendant Properties and served notice on the titled owners: Christopher Delgado, Andie Delgado, Habibi Holdings, LLC, and Habibi HQ LLC.

The Court further finds that each titled owner has consented to the forfeiture of the

Defendant Properties.

The Court further finds that the United States has sent Notice of the Complaint to any known mortgage holders and homeowners' associations (HOAs) and, as summarized below, has recognized their interests regardless of whether they filed claims:

A. The Isleworth Property

The Isleworth property is subject to the Isleworth Community Association, Inc. The United States represented to Don H. Nguyen, the attorney representing the Isleworth Community Association, that it would fully recognize the HOA's interest in the Isleworth Property for unpaid association dues totaling approximately \$12,380.07, which consists of the following: (a) the past-due assessments and interest already accrued (\$7,675.57), (b) the Q3 2026 assessment (\$3,672.00, already billed but not yet technically "due"), (c) the Q4 2026 assessment (to be billed August 31, 2026, and included since it falls within the waiver period through year-end); and (d) \$950 in Attorney's fees. The HOA agreed to waive the late fees. If the Isleworth Property is not sold by the end of 2026, additional assessments will be owed. Based on the United States' agreement to pay the amount due, the HOA consented to the forfeiture subject to these terms.

As reflected in the Verified Complaint, Delgado failed to pay the \$78,658.86 in property taxes due for 2025. (Doc. # 1 at 39.) The United States recognizes the Orange County Tax Collector's right to collect approximately \$86,725.28 in unpaid *ad valorem* real property taxes and *non-ad valorem* assessments that are due and owing.

B. Phelps Property

The Phelps Property is subject to a mortgage currently serviced by Carrington Mortgage Services, LLC and owned by BRAVO 2026-NQM3. The United States represented to Sara Accardi, the attorney representing Carrington, that it would fully recognize Carrington's interest for unpaid mortgage payments totaling approximately \$2,052,426.00, which consists of the following: (a) \$1,984,175.83 in unpaid principal balance, (b) \$66,183.91 in interest at 7.37500%; and (c) per diem interest charge of \$400.9122 after August 14, 2026. The United States has requested that Carrington waive the \$2,066.82 in late charges. However, if they are not waived, the United States recognizes that they are a valid fee authorized by the terms of the loan. Thus, the mortgage company consents to the forfeiture under these terms.

The Phelps Property also is subject to the Windsong Community Association. Although the HOA has not filed a timely claim, the United States recognizes its interest and will pay any delinquent balance as if a claim had been filed.

C. Bal Harbour Drive Property

The Bal Harbour Property is subject to a mortgage held by Wilmington Savings Fund Society, FSB not in its individual capacity but solely as Owner Trustee of OBX 2025-NQM10 Trust. The United States represented to Allen S. Katz, the attorney representing Wilmington, that it would fully recognize Wilmington's interest for unpaid mortgage payments totaling approximately \$533,996.69, which consists of the following: (a) \$513,190.73 in principal balance; (b) \$18,509.10 in accrued interest; and (c) \$129.00 in advance balance (comprised of inspections (\$30) and valuations (\$99) conducted per the loan documents); and (d) \$2,162.01 in advance fees associated with

a recent referral of the loan to a foreclosure firm for filing. And the United States agreed to recognize that the mortgage is subject to a per diem interest charge of \$97.89 after August 7, 2026. Therefore, the mortgage company consents to filing this forfeiture.

The Bal Harbour Property also is subject to the Waterside on Johns Lake Community Association, Inc. The United States represented to Hannah Borrero, the Community Association Manager, that it would recognize the HOA's interest for unpaid association dues totaling approximately \$1,141.45 as well as any dues outstanding when the property is sold.¹ Thus, the HOA consents to the filing of this forfeiture.

D. Pawnee Trail

The Pawnee Property is subject to a mortgage held by U.S. Bank National Association, Not in its Individual Capacity, but solely as Owner Trustee, of the New Residential Mortgage Loan Trust 2025-NQM1 ("U.S. Bank"). After receiving notice of this forfeiture, Newrez LLC d/b/a Shellpoint Mortgage Servicing as Attorney-in-Fact for U.S. Bank timely filed its Verified Claim for its interest in the Pawnee Property. (Doc. # 61.) The United States represented to Michael Newell, counsel for Newrez, that it would recognize U.S. Bank's interest in the property for unpaid mortgage payments totaling: \$896,949.40, which consists of the following: (a) \$854,472.40 principal balance; (b) \$34,935.37 interest thru August 7, 2026; (c) \$5,299.39 in fees; (d) \$10.00 in release fees; and (e) \$2,232.24 in funds owed by the borrower. Additionally,

¹ The monthly assessment is \$215.00 per month.

the United States recognizes that the mortgage is subject to a per diem interest charge of \$184.36 after August 7, 2026, which must be paid at closing. Based on the United States agreement to recognize its claim, the mortgage servicer consents to this forfeiture.

The Pawnee Trail property also is subject to the Happy Trails Homeowner's Association, Inc. Although the HOA has not filed a timely claim, the United States recognizes its interest and will pay any delinquent balance as if a claim had been filed.

E. Orange Avenue Property

The Orange Avenue Property is subject to the Plaza South Tower Commercial Condominium Association, Inc. (COA). The COA filed a Verified Claim for its interest in the Orange Avenue Property. (Doc. # 69.) The United States represented to Wayne Klinkbeil and Vennia Francois, counsel for the COA, that it would recognize the COA's interest in the Orange Avenue Property for unpaid condominium association dues amounting to approximately \$74,889.52, which consists of the following: (a) \$18,187.24 for Unit 1800S; (b) \$17,215.86 for Unit 1810S; (c) \$19,707.86 for Unit 1820S; and (d) \$19,778.56 for Unit 1870S, which sums include late fees, mailing fees, interest, and attorney's fees. The United States has asked that the COA's Board consider waiving the late fees; if it does so, the amount due to date may be reduced. The United States also agreed to recognize the COA's right to collect all unpaid assessments and interest, late charges, and reasonable attorney's fees as well as sums advanced by the COA to maintain or repair the property until the property is sold. Thus, the COA consents to this forfeiture.

The Court further finds the United States has agreed to recognize the interest in the Defendant Properties held by any *ad valorem* real property taxes and *non-ad valorem* assessments due and owing to the applicable county tax collector up to the date of entry of judgment, mortgage companies, and HOAs whether a claim is filed or not. The United States intends to satisfy any delinquent obligations set forth above solely from the proceeds of the sale of the associated Defendant Property (to the extent that there are sufficient proceeds), after the deduction of the United States' expenses relating to the seizure, maintenance, custody, publication, marketing, and sale of the property, including any and all outstanding taxes and interest due and owing the tax collectors for Orange, Osceola, and Seminole County.

The Court further finds that pursuant to Rule G(4)(a)(iv)(C), the United States posted notice of this forfeiture on an official government internet website (www.forfeiture.gov) for at least 30 days, beginning May 24, 2026, as evidenced by the Notice of Publication filed with this Court. (Doc. # 31.)

No other persons or entities have filed either a timely claim or an answer to the complaint for forfeiture within the times specified in 18 U.S.C. § 983(a)(4)(A) and Supplemental Rule G, or have otherwise appeared or answered in this regard, and the time to do so has expired.

Accordingly, it is hereby **ORDERED, ADJUDGED** and **DECREED** that the United States' consent motion (Doc. # 79) is **GRANTED**,

It is **FURTHER ORDERED** that, pursuant to 18 U.S.C. § 981(a)(1)(A) & (C), all right, title, and interest in the Defendant Properties Assets are **CONDEMNED** and **FORFEITED** to the United States for disposition according to law. Clear title to the

Defendant Properties are now vested in the United States, subject to: (1) any *ad valorem* real property taxes and *non-ad valorem* assessments due and owing to the county Tax Collector; (2) the terms of the agreements the United States has reached with the Isleworth Community Association, Inc., Carrington Mortgage Services, LLC, Wilmington Savings Fund Society, FSB, Waterside on Johns Lake Community Association, Inc, Newrez LLC, and the Plaza South Tower Commercial Condominium Association, Inc. as detailed above; (3) any unpaid principal and interest that may be due and owing to Change Lending LLC (or any successor in interest); and (4) any assessments due and owing the HOAs that did not respond to the notice of forfeiture—the Windsong Community Association, the Happy Trails Homeowner's Association, Inc., and the Bella Foresta Community Homeowners Association—relating to the real properties.

It is **FURTHER ORDERED** that, the Internal Revenue Service and/or its duly appointed agent is directed to seize the real properties located at 5271 Isleworth Country Club Drive, Windermere, Florida 34786 and 17416 Bal Harbour Drive, Winter Garden, Florida 34787, and take full and exclusive custody and control of same. The Internal Revenue Service and/or its duly authorized agent is authorized to make immediate entry onto these properties for the purposes of inspection, preservation, security, and safety, and for any other purpose related to the forfeiture. The remaining Defendant Properties have already been seized as authorized by the Ex Parte Warrant for Seizure of Real Property. (Doc. # 30.)

DONE and **ORDERED** in Chambers, in Orlando, Florida on August 14, 2026.



ANNE LEIGH GAYLORD MOE
UNITED STATES DISTRICT JUDGE

Copies to:
Anita M. Cream, AUSA
Blain A. Goff, AUSA