

SOUTH FLORIDA

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# “Buyer beware”: Aston Martin condo owners allege litany of construction defects in latest lawsuit

## Cracks, corrosion and leaks throughout the waterfront tower are among complaints



Germán Coto with the Aston Martin Residences (Getty, Aston Martin Residences)

By Katherine Kallergis

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## Key Points

- The condo association for the Aston Martin Residences has filed a lawsuit against the developer (G&G Business Developments), general contractor (Coastal Construction), and over a dozen other companies involved in the design and construction of the Miami condo tower.
- The complaint alleges numerous defects, including improperly sloped balconies, concrete cracking and spalling, unsealed holes, exposed reinforcement bars, and issues with the waterproofing, fire protection, and other systems. The association is seeking millions of dollars in damages.
- This latest complaint follows a separate lawsuit filed by the association against the developer, Germán Coto, alleging he siphoned millions of dollars from condo owners through vendor contracts.

The condo association for the Aston Martin Residences sued the developer, general contractor and team that designed and built the waterfront condo tower in downtown Miami, adding to legal woes surrounding the project.

300 Biscayne Boulevard Way Condominium Association filed a lawsuit earlier this month against an affiliate of the Coto family's G&G Business Developments, Coastal Construction, <sup>Advertisement</sup> Revue Architecture International, Shamrock Engineering, DeSimone Consulting Engineering, Capform and about dozen other subcontractors alleging defective design and construction of the 66-story, 391-unit high-rise at 300 Biscayne Boulevard Way.

The lawsuit, filed under Florida Statute 558, cites deficiencies identified in the turnover report that was performed by Epic Forensics & Engineering, including concrete cracking and spalling, unsealed holes and exposed reinforcement bars; post-tension deficiencies; and issues with the masonry, stucco, fire protection systems, mechanical systems, electrical, plumbing, railing, painting, pool and water features, waterproofing, doors, pavers, the seawall and the elevators.

The lawsuit alleges that balconies are improperly sloped, and that cracks, corrosion and leaking are present throughout parts of the tower.

Coastal Construction is “reviewing the allegations for merit and will defend accordingly,” according to a statement from the company. It declined to comment further.

The association’s attorneys, David Haber and Daniel Levin of Miami-based Haber Law, said the lawsuit serves as a “buyer beware.” The association is seeking damages in the millions of dollars.

The latest complaint comes weeks after the condo association sued the developer, Germán Coto, over allegations he siphoned millions of dollars from condo owners via condo association contracts to vendors with close ties to Coto. The association claims the alleged scheme left the building with incomplete records, misappropriated funds and long-term financial harm.

Haber said the construction defects complaint, filed in mid April, is emblematic of a bigger problem: “why cities allow developers to keep putting up projects time after time with construction defects.”

A spokesperson for Riverwalk East Developments, the LLC that developed the project, said that the developer “partnered with the industry’s most experienced suppliers” and that they believe the allegations are “unfounded.”

“We are concerned that ongoing litigation may not serve the best interests of residents. We remain confident that the legal process will lead to a fair outcome and support a resolution based on facts, good faith, and the overall well-being of the community,” the spokesperson said.

G&G completed Aston Martin Residences about two years ago, as part of a joint venture with the British automaker. The building is the first Aston Martin-branded residential building in the world. The developer financed construction with a \$200 million loan. The building was completed years after its original expected completion date and a pause in construction after a subcontractor filed for bankruptcy.

“The system of giving TCOs [temporary certificates of occupancy] is flawed. The system of inspections is flawed,” Haber said. “Developers are building these things as fast as they can. Quality construction is less important than getting it sold.”

Developers will typically set money aside to pay for insurance coverage that ultimately takes care of construction defects claims, which means the cost of litigation is usually baked into the purchase price of units.

Buyers at Aston Martin included the scion of a medical device maker, who paid \$23 million for a condo on the 60th floor, and a Mexican industrial magnate, who paid \$18 million for a unit on the 62nd floor.