

SOUTH FLORIDA

# “Subpar construction”: Amrit Ocean Resort owners sue developer, construction team over alleged defects

## Lawsuit adds to developer Wellness Resorts’ legal woes



Developer is Dilip Barot and Amrit resort on Singer Island, at 3100 N Ocean Dr, Riviera Beach (Google Maps, Dilip Barot)

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## Key Points ✨ 📌

- The condo association for Amrit Ocean Resort has sued the developer, Wellness Resorts, and the construction team, alleging pervasive, major construction defects, some of which were exposed by a recent rain event.
- The alleged defects include roofing failures causing water intrusion, corrosion affecting the A/C, plumbing, electrical, and fire sprinkler systems, structural issues like cracking stucco, window/glazing failures, and operational deficiencies.
- The lawsuit is one of a series of mounting disputes with buyers, and the association claims the building still lacks a final certificate of occupancy.

Less than two weeks after the developer of Amrit Ocean Resort turned over control of the condo association to the unit owners, a rain event exposed what the association alleges are pervasive construction failures across the building.

In a lawsuit filed last week in Palm Beach County Circuit Court, the condo association for the beachfront tower sued the developer, Wellness Resorts and Wellness Resorts & Spa, and the construction team, which includes Optimal Construction, Paramount Consulting & Engineering, S&E Architects and CAP Government, alleging major construction defects at the oceanfront Singer Island development.

The complaint adds to mounting disputes between the buyers and the developer, an affiliate of Dilip Barot's Creative Choice Group. Amrit, a two-tower project at 3100 Ocean Drive in Riviera Beach, was completed 15 years after the development was initially conceived.

Last month, the Palm Beach Post reported that Riviera Beach's police department was investigating complaints from buyers that they were misled about their units' eligibility for Florida's homestead property tax exemption. Owners say they were led to believe they were buying condo units at Amrit Ocean, which is classified as a hotel and therefore not eligible for the homestead exemption.

The latest lawsuit alleges roofing failures caused water intrusion; corrosion affecting the air conditioning, plumbing, electrical and fire sprinkler systems; structural issues with cracking stucco, deteriorating concrete and water migration; window and glazing failures; and operational deficiencies with the elevators and other building components.

The association alleges violations of Florida's building code and breaches of statutory, express and implied warranties, as well as negligence.

The association notified the developer and construction team last year of the issues. "In response to the 558 notices, the association has generally received nothing but crickets," said Haber Law attorney Daniel Levin, who is representing the association.

A spokesperson for Amrit Ocean Resort and Residences said the condo association and its claims are not affiliated or associated with the hotel.

"Regardless of any lawsuits filed to protect the Association's rights, the developers have been working collaboratively and amicably with the association and unit owners to resolve the issues raised in the complaint for some time and will continue to do so," the statement reads.

A declaratory judgment count in the complaint targets the hotel owner over a dispute about who bears responsibility for maintaining and repairing shared facilities under the property's master declaration. The association alleges that the hotel owner, Wellness Resorts & Spa, has a conflict of interest given its relationship with the developer, and has been blocking necessary repairs.

Levin ticked off a list of the alleged design and construction defects, calling it "subpar construction." A notice sent to the developer last year stated that the association found defects and deficiencies in the construction of the roof, including improperly installed roof drains, roof wall flashings that are improperly constructed, signs of improper maintenance and other issues likely causing the water and moisture intrusion.

The building also still does not have a final certificate of occupancy, Levin said.

“Associations are left holding the bag on multimillion-dollar repairs that in general should have been prevented,” he said