

ST LUCIE COUNTY

Port St. Lucie Properties homebuilder Mark Montalto charged with grand theft

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A Treasure Coast homebuilder has been charged with grand theft and failure to perform work, and remains under investigation in at least 23 more criminal complaints.

Mark M. Montalto, 60, owner of the now-closed Port St. Lucie Properties Inc., was charged with second-degree grand theft and failing to perform work for a Martin County client who paid him \$77,773.50 in advance after signing a contract in July 2022, according to arrest records.

Martin County issued a warrant for his arrest. The Port St. Lucie Police Department arrested him Nov. 28 and the St. Lucie County jail released him on \$60,000 bail the same day.

In April, South State Bank notified Robert Fletcher that Port St. Lucie Properties was "going into default" with numerous liens against clients like him, according to a complaint he filed Sept. 25. He said he later found Montalto had not paid for a permit from the Martin County Building Department.

Fletcher filed a notice of breach of contract in August and terminated the contract on Sept. 19.

Port St. Lucie Properties under investigation

Montalto allowed over 170 liens totaling over \$2.7 million to be placed on homeowners and subcontractors, according to county and court records.

The St. Lucie County Sheriff's Office and Port St. Lucie Police Department are still investigating at least 17 complaints received since May 31. They allege Montalto either didn't

complete work on single-family homes he was paid in advance to build, or he didn't pay subcontractors for supplies.

The St. Lucie County Contractor Licensing Board on July 19 found Montalto guilty of a municipal code violation for failing to pay creditors for material, work or services in four complaints filed to the board since March 7.

St. Lucie County blocked him from getting any new construction permits for a year. The Port St. Lucie city manager did the same on Aug. 25, after TCPalm published a story about Montalto.

Liens mounting against clients, subcontractors

One the latest criminal complaints came from Joshua Henry, a 38-year-old paralegal from Boca Raton. Unpaid subcontractors filed liens against his property despite him paying Montalto about \$140,000 to start building his new house in Port St. Lucie in May, according to a complaint he filed with the Port St. Lucie Police Department in June.

“It took 7 months for the permitting to be done. They started having problems, and we knew that it was going to create further problems because it was taking a very long time for them to do certain things,” Henry said.

After having to pay \$35,000 for four liens filed in March, Henry sued Montalto in July and terminated his contract with him. He now lives in the home, which another contract eventually built.

“It's been beyond frustrating the past year that everything that we've had to go through,” he said.

Civil lawsuits filed against Mark Montalto

Montalto faces these six civil cases:

Dec. 15, 2022: Dream Contractors Inc. sued for \$19,198 in unpaid work at four residences.

May 2: BFS Group LLC sued for \$156,964 as they weren't paid for their work.

Aug. 16: Oscar Martinez sued for incomplete work and unpaid subcontractors despite advanced payments.

Aug. 17: Matthew Sternfeld and Samantha Mazzaro sued for incomplete work and unpaid subcontractors despite paying \$175,184.

Aug. 18: Marjorie Zamy-Ducheine and Jeanrock Ducheine sued for incomplete work and unpaid subcontractors despite paying \$219,972.

Sept. 6: Stephen A. Lorrimer sued the company for \$70,866 given in payments.

Montalto built homes from Fort Lauderdale to Melbourne, he said in a video on his website.

Montalto filed for bankruptcy in 2011 in Palm Beach and in 1993 in Connecticut. He received his Florida contracting license in April 2019 and registered as a contractor in St. Lucie County in May 2019; however, he claimed he had been building homes in Port St. Lucie since 1982.

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