Fill in this information to identify your case:

United States Bankruptcy Court for the:

MIDDLE DISTRICT OF FLORIDA, TAMPA DIVISION

Case number *(if known)* _____ Chapter **11**

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals,* is available.

1. Debtor's name **BAY HARBOUR HOMES, LLC**

2. All other names debtor used in the last 8 years
Include any assumed names, trade names and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) **20-1350565**

4. Debtor's address

Principal place of business

4026 Henderson Blvd
Tampa, FL 33629-4940
Number, Street, City, State & ZIP Code

Hillsborough
County

Mailing address, if different from principal place of business

4026 Henderson Blvd
Tampa, FL 33629-4940
P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor

■ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify:

Debtor **BAY HARBOUR HOMES, LLC** Case number (*if known*) _____
Name

7. Describe debtor's business

A. *Check one:*

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ■ None of the above

B. *Check all that apply*

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See http://www.uscourts.gov/four-digit-national-association-naics-codes.

_____

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
- ☐ Chapter 9
- ■ Chapter 11. *Check all that apply*:
  - ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than $2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
  - ■ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
  - ☐ A plan is being filed with this petition.
  - ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
  - ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
  - ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.
- ☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

If more than 2 cases, attach a separate list.

- ■ No.
- ☐ Yes.

District _____ When _____ Case number _____
District _____ When _____ Case number _____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

List all cases. If more than 1, attach a separate list

- ■ No
- ☐ Yes.

Debtor _____ Relationship _____
District _____ When _____ Case number, if known _____

Debtor **BAY HARBOUR HOMES, LLC** Case number (*if known*)
Name

11. Why is the case filed in *this district?*

Check all that apply:

- [x] Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- [ ] A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

- [x] No
- [ ] Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (*Check all that apply.*)

- [ ] It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
  What is the hazard? _____
- [ ] It needs to be physically secured or protected from the weather.
- [ ] It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- [ ] Other _____

Where is the property? _____
Number, Street, City, State & ZIP Code

Is the property insured?

- [ ] No
- [ ] Yes. Insurance agency _____
  Contact name _____
  Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- [x] Funds will be available for distribution to unsecured creditors.
- [ ] After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

- [x] 1-49
- [ ] 50-99
- [ ] 100-199
- [ ] 200-999
- [ ] 1,000-5,000
- [ ] 5001-10,000
- [ ] 10,001-25,000
- [ ] 25,001-50,000
- [ ] 50,001-100,000
- [ ] More than100,000

15. Estimated Assets

- [x] $0 - $50,000
- [ ] $50,001 - $100,000
- [ ] $100,001 - $500,000
- [ ] $500,001 - $1 million
- [ ] $1,000,001 - $10 million
- [ ] $10,000,001 - $50 million
- [ ] $50,000,001 - $100 million
- [ ] $100,000,001 - $500 million
- [ ] $500,000,001 - $1 billion
- [ ] $1,000,000,001 - $10 billion
- [ ] $10,000,000,001 - $50 billion
- [ ] More than $50 billion

16. Estimated liabilities

- [ ] $0 - $50,000
- [x] $50,001 - $100,000
- [ ] $100,001 - $500,000
- [ ] $500,001 - $1 million
- [ ] $1,000,001 - $10 million
- [ ] $10,000,001 - $50 million
- [ ] $50,000,001 - $100 million
- [ ] $100,000,001 - $500 million
- [ ] $500,000,001 - $1 billion
- [ ] $1,000,000,001 - $10 billion
- [ ] $10,000,000,001 - $50 billion
- [ ] More than $50 billion

Debtor **BAY HARBOUR HOMES, LLC** Case number (*if known*)
Name

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to $500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is trued and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **May 1, 2017**
MM / DD / YYYY

X **/s/ Thomas M. DiGiacomo**
Signature of authorized representative of debtor

Thomas M. DiGiacomo
Printed name

Title **President**

18. Signature of attorney

X **/s/ Leon Williamson**
Signature of attorney for debtor

Date **May 1, 2017**
MM / DD / YYYY

Leon Williamson
Printed name

Law Office of Leon A. Williamson, Jr., P.A.
Firm name

306 S Plant Ave Ste B
Tampa, FL 33606-2323
Number, Street, City, State & ZIP Code

Contact phone **(813) 253-3109** Email address **leon@lwilliamsonlaw.com**

363537
Bar number and State

Fill in this information to identify the case:

Debtor name **BAY HARBOUR HOMES, LLC**

United States Bankruptcy Court for the: MIDDLE DISTRICT OF FLORIDA, TAMPA DIVISION

Case number (if known) _____

☐ Check if this is an amended filing

Official Form 202

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to $500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets–Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ Amended *Schedule* _____
- ■ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☐ Other document that requires a declaration _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **May 1, 2017**

X **/s/ Thomas M. DiGiacomo**
Signature of individual signing on behalf of debtor

Thomas M. DiGiacomo
Printed name

President
Position or relationship to debtor

Fill in this information to identify the case:

Debtor name **BAY HARBOUR HOMES, LLC**

United States Bankruptcy Court for the: **MIDDLE DISTRICT OF FLORIDA, TAMPA DIVISION**

Case number (if known): _____

☐ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
ASAP Shell Contracting 7730 Palm River Rd Ste 400 Tampa, FL 33619-4214		**Trade debt**				**$22,400.00**
Sunrise Landscape, Inc. PO Box 16531 Tampa, FL 33687-6531		**Trade debt**				**$14,756.00**
Fencing Solutions 303 Marlborough St Oldsmar, FL 34677-3107		**Trade debt**				**$7,003.00**
One Stop Cooling & Heating, LLC 7225 Sandscove Ct Winter Park, FL 32792-5915		**Trade debt**				**$6,352.00**
Metaf Creations & Design 4651 107th Cir N Clearwater, FL 33762-5006		**Trade debt**				**$5,775.00**
Cast Art International Corp. 6812 Industrial Ave Ste 3 Port Richey, FL 34668-6800		**Trade debt**				**$5,250.46**
JR Stucco, Inc. PO Box 1078 Tarpon Springs, FL 34688-1078		**Trade debt**	**Contingent Unliquidated Disputed**			**$5,196.00**

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Debtor **BAY HARBOUR HOMES, LLC**
Name

Case number *(if known)*

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Builders First Source PO Box 277126 Atlanta, GA 30384-7126		**Trade debt**				**$3,701.30**
Robert Green, Inc. 13211 N Nebraska Ave Tampa, FL 33612-2602		**Trade debt**				**$3,094.00**
R.E. Lynch Building Services, Inc. 12208 Kelly Ln Thonotosassa, FL 33592-2752		**Trade debt**	**Contingent Unliquidated Disputed Subject to Setoff**			**$2,525.00**
McRae & Metcalf, PA 306 S Plant Ave Tampa, FL 33606-2323		**Trade debt**				**$2,360.92**
Richard L. Brown & Company, P.A. PO Box 18545 Tampa, FL 33679-8545		**Trade debt**				**$2,200.00**
Liberty Painting Services, Inc 4227 Tennyson Way Venice, FL 34293-5244		**Trade debt**	**Contingent Unliquidated Disputed**			**$1,700.00**
J & J Construciion Services, Inc. 4105 W Mullen Ave Tampa, FL 33609-4326		**Trade debt**				**$1,375.00**
MD Termite 16339 Cortez Blvd Brooksville, FL 34601-8914		**Trade debt**				**$1,220.00**
Quality Brick Pavers, Inc. 6820 Benjamin Rd Ste 7 Tampa, FL 33634-4318		**Trade debt**				**$890.00**
Architectural Products Sales, Inc. 1402 N 25th St Tampa, FL 33605-5525		**Trade debt**				**$400.00**

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Debtor **BAY HARBOUR HOMES, LLC**
Name

Case number *(if known)*

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
McCulloch Industries, Inc 16204 N Nebraska Ave # 4 Lutz, FL 33549-8136		**Trade debt**				**$374.00**
TMD Windows & Doors PO Box 10067 Tampa, FL 33679-0067		**Trade debt**				**$373.72**
Lowe's Business Account PO Box 530970 Atlanta, GA 30353-0970		**Trade debt**				**$235.21**

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United States Bankruptcy Court
Middle District of Florida, Tampa Division

IN RE: Case No. _____

BAY HARBOUR HOMES, LLC Chapter **11**

Debtor(s)

VERIFICATION OF CREDITOR MATRIX

The above named debtor(s) hereby verify(ies) that the attached matrix listing creditors is true to the best of my(our) knowledge.

Date: **May 1, 2017** Signature: ***/s/ Thomas M. DiGiacomo***
Thomas M. DiGiacomo, President
Debtor

Date: _____ Signature: _____
Joint Debtor, if any

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84 Lumber Co
.
2102 Henderson Way
Plant City, FL 33563-7902

Antonio & Jaqueline Diaz
4941 W San Rafael St
Tampa, FL 33629-5434

Architectural Products Sales, Inc.
1402 N 25th St
Tampa, FL 33605-5525

ASAP Shell Contracting
7730 Palm River Rd Ste 400
Tampa, FL 33619-4214

Builders First Source
PO Box 277126
Atlanta, GA 30384-7126

Cast Art lnternational Corp.
6812 Industrial Ave Ste 3
Port Richey, FL 34668-6800

City Of Tampa - Construction Services
1400 N Boulevard
Tampa, FL 33607-5608

Fencing Solutions
303 Marlborough St
Oldsmar, FL 34677-3107

Home Depot Credit Services Dept 32-25003
PO Box 9055
Des Moines, LA 50368-9055

J & J Construciion Services, Inc.
4105 W Mullen Ave
Tampa, FL 33609-4326

Jack Butterick
3319 Elizabeth Ct
Tampa, FL 33629-7028

John Camp Crosby
3420 S Virginia Ct
Tampa, FL 33629-7039

JR Stucco, Inc.
PO Box 1078
Tarpon Springs, FL 34688-1078

Liberty Painting Services, Inc
4227 Tennyson Way
Venice, FL 34293-5244

Lowe's Business Account
PO Box 530970
Atlanta, GA 30353-0970

Marlowe McNabb Machnik, P.A.
1560 W Cleveland St
Tampa, FL 33606-1807

McCulloch Industries, Inc
16204 N Nebraska Ave # 4
Lutz, FL 33549-8136

McRae & Metcalf, PA
306 S Plant Ave
Tampa, FL 33606-2323

MD Termite
16339 Cortez Blvd
Brooksville, FL 34601-8914

Metaf Creations & Design
4651 107th Cir N
Clearwater, FL 33762-5006

One Stop Cooling & Heating, LLC
7225 Sandscove Ct
Winter Park, FL 32792-5915

Quality Brick Pavers, Inc.
6820 Benjamin Rd Ste 7
Tampa, FL 33634-4318

R.E. Lynch Building Services, Inc.
12208 Kelly Ln
Thonotosassa, FL 33592-2752

Richard Gale Porter, Jr.
Porter Law Group, LLC
100 N Tampa St Ste 2435
Tampa, FL 33602-5896

Richard L. Brown & Company, P.A.
PO Box 18545
Tampa, FL 33679-8545

Robert & Kathy Lewis
3321 Elizabeth Ct
Tampa, FL 33629-7028

Robert Green, Inc.
13211 N Nebraska Ave
Tampa, FL 33612-2602

Royer Law
310 S Brevard Ave
Tampa, FL 33606-2214

Sabal Construction, Inc.
1036 Sylvia Ln
Tampa, FL 33613-2007

Scott Custable
3418 S Virginia Ct
Tampa, FL 33629-7039

Shawn K. Sanchez & Jason C. Sanchez
2521 W Sunset Dr
Tampa, FL 33629-5338

Shawn K. Viet Sanches & Jason C. Sanchez
2521 W Sunset Dr
Tampa, FL 33629-5338

Sunrise Landscape, Inc.
PO Box 16531
Tampa, FL 33687-6531

TMD Windows & Doors
PO Box 10067
Tampa, FL 33679-0067

Warren Fletcher
3323 Elizabeth Ct
Tampa, FL 33629-7028