



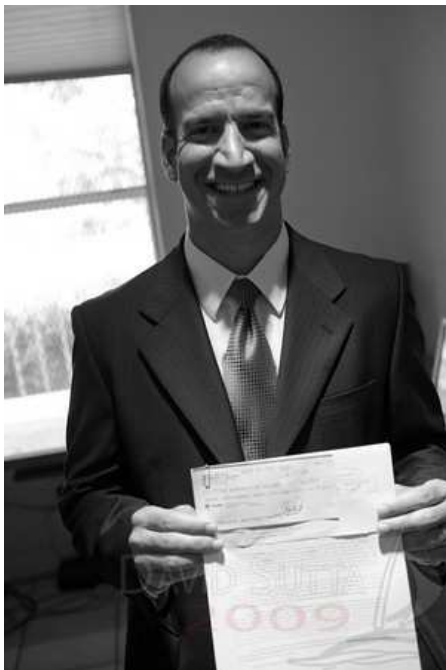
## CBS4 Reporter David Sutta's Blog

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### Condo Associations Win Another Round

Posted by Sutta

In May I did a story about a condo community in Miami Gardens called The Oaks. They were on the forefront of a new legal maneuver that could save condo associations across South Florida. Essentially they were allowed to get a court appointed receiver to collect rents from deadbeat landlords (landlords that were not paying their association dues). What was remarkable about this move was that their attorneys, Associated Law Group, convinced the judge to appoint the receiver not for each individual unit but any unit being rented that was in foreclosure. In layman's terms they could get one ruling to force all landlords in the building to pay up.



And receivers like Michael Furshman have been collecting. So far the ALG attorneys have helped 21 associations with this new tactic. Associations that had nothing coming in are collecting entire rent checks which typically cover a few months of dues owed. It's been three months since we reported on the Oaks. They are now bringing more in association dues then what's going out to pay the bills!



In June the board of directors at the Village at Dadeland decided they wanted to pursue this new maneuver. The association was on the edge of falling apart. This condo conversion across from Dadeland Mall never turned out the way homeowners had hoped for. For instance take a look at the pool.

I'm sure the kids in the neighborhood don't mind all that much... they have turned it into a skate park despite the locks.



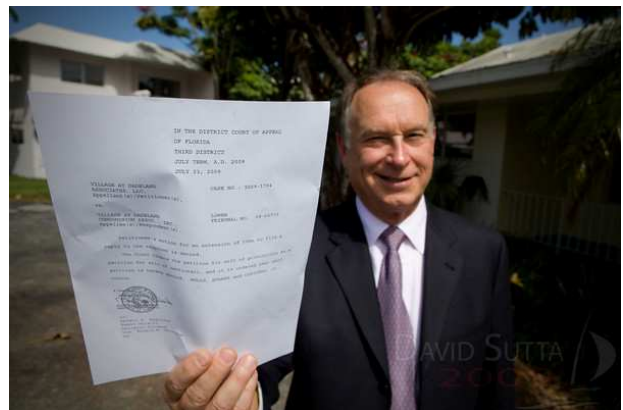
The first person the Village went after was the developer of the condo conversion. He apparently owns 15 units (possibly more) and has been renting them out.



For more than a year, according to board president Maggie Lujardo, he hasn't been paying the association. When the developer was served he fought it, filing an appeal with the Third District Court of Appeals. He felt that each judge overlooking each individual foreclosure should rule on the receiver. Not this blanket receiver approach.

The appeals court didn't agree. They ruled in favor of the association. They didn't even allow the developer to argue his case.

Attorney David Arnold has a lot to smile about these days! This ruling is important because this shows that not only is the maneuver legal... it's going to hold up. I felt we had to do this follow-up story because there are too many people like Maggie struggling to turn this crisis around.



Property values continue to slide not just because of the foreclosures but because of greed. People who took risks in the housing sector are trying to milk it for all they can. I can't blame them for trying to rent their units until the bank takes the keys. They are trying to recoup the huge losses on the horizon.

However, even though I understand their position, it doesn't make it right. So many people invested their life savings into these units not as flips but as their homes.



As I learned this evening after we finished shooting... one of those people works with me every day here at CBS4.

It is my hope that our story catches

the attention of homeowners, board members, heck even other attorneys. The destruction of condominiums at the hands of the greedy needs to end. You took the risk... now take your lumps!

