

LAW OFFICES *of*
STAGE & ASSOCIATES, P.A.

BARBARA BILLIOT STAGE, ESQ.
S. DAVID COOPER, ESQ. †
† OF COUNSEL

STEPHEN A. TALMADGE, JR. PH.D., ABFP*, ESQ.
* Diplomat, American Board of Forensic Psychology

MARCH 19, 2015

Montego Bay Homeowners Association, Inc.
Attn: Board of Directors
2505 Montego Bay Blvd.
Kissimmee, FL 34746

Re: Engagement of Counsel

Dear Board of Directors:

This letter will confirm your desire to engage the Law Offices of Stage & Associates, P.A. (the "Firm") to represent and counsel Montego Bay Homeowners Association, Inc. (the "Association") regarding legal matters in the operation and management of the Association. This letter will set forth the terms and conditions of the Firm's representation of the Association. Once you have had a chance to read and consider the letter, if you find it acceptable, then please sign a copy and return it to us to acknowledge your understanding and agreement with its contents. When we receive the signed letter, your representation can begin. We look forward to working with you and will do our best to provide the highest quality legal services in a responsive, efficient manner.

The Firm has agreed to represent the general legal needs of the Association. The Firm has not however agreed to represent any of the Association's directors, officers, volunteers, managers or employees individually.

The Firm will handle the Association's pre-litigation assessment collection and covenant enforcement matters on a fixed fee basis per the attached fee schedules. The Association will be billed hourly at the Firm's standard hourly rates for all other activities, including but not limited to, general corporate advice and active litigation. The charge for our professional time is currently **\$195.00 per hour**. This rate is subject to change upon sixty (60) days written notice. In addition to fees and hourly charges, the monthly invoice will include charges for costs incurred on behalf of the Association for such items as copies, faxes and postage. The Association is expected to pay these cost disbursements and other charges. You authorize the Firm to incur all reasonable costs necessary in the Firm's judgment to carry out the representation of the Association.

The Association agrees to deposit with the Firm a *retainer fee of \$0.00*. The retainer is waived. The Firm will provide the Board of Directors with a customized training class at no cost. Such training will commence at a mutually agreeable time allowing the Firm a reasonable time to review the Association's documents and incorporate them into the training presentation.

The Firm will furnish the Association with copies of documents, pleadings, and correspondence that may be necessary to keep the Board of Directors informed of the extent and nature of legal services being rendered. If required, the Firm will provide status reports to update the Board of Directors concerning active court cases, collections and covenant enforcement. The Firm is also establishing a portal for board members to access the information online from our website. Please seek answers to any questions concerning the legal services. The Firm wants to provide top quality services.

In order to facilitate the Firm's representation of the Association, the Board of Directors will need to follow the advice and instructions of the Firm, communicate candidly with the Firm and provide all necessary documents and information promptly, act only through the Firm with respect to matters being handled by the Firm, and avoid all acts which are illegal, immoral, or unethical that might jeopardize your position as a director of the Association.

Please do not hesitate to contact the Firm should you have any questions or concerns regarding representation and fee schedules.

Sincerely,



Barbara Billiot Stage, Esq.
BBS/rns

Enclosures

I acknowledge having read this letter and the accompanying attachments that are referenced in the letter and agree to retain the Law Offices of Stage & Associates, P.A. as legal counsel for Montego Bay Homeowners Association, Inc., according to the terms and conditions set forth in this letter.

Signature

Name: _____

Title: _____

The following are individual services and the fees listed are not cumulative.

SIMPLE COLLECTION LETTER/DEMAND FOR RENT NOTICE **\$100.00**

- ❖ Contact Property Appraiser's Office to verify ownership of property
- ❖ Correspond with Management Company/Association
- ❖ Check bankruptcy records
- ❖ Prepare simple collection letter
- ❖ Hourly fees are incurred for negotiations with property owner for payment

45-DAY INTENT TO LIEN NOTICE **\$100.00**

- ❖ Contact Property Appraiser's Office to verify ownership of property if not previously done
- ❖ Correspond with Management Company/Association
- ❖ Check bankruptcy records
- ❖ Prepare statutory 45-day Intent to Lien Notice
- ❖ Draft follow-up letters
- ❖ Limited negotiations

LIEN **\$150.00**

- ❖ Contact Property Appraiser's Office to verify ownership of property if not previously done
- ❖ Verify legal description of property
- ❖ Search for pending foreclosures
- ❖ Check bankruptcy records
- ❖ Prepare Claim of Lien

45-DAY INTENT TO FORECLOSE NOTICE **\$100.00**

- ❖ Contact Property Appraiser's Office to verify ownership of property if not previously done
- ❖ Correspond with Management Company/Association
- ❖ Search for pending foreclosures
- ❖ Check bankruptcy records
- ❖ Prepare statutory 45-day Intent to Foreclose Notice letter (*add \$100.00 for researching and verifying compliance with statute if 45-Day Intent to Lien Notice not prepared by our firm*)
- ❖ Draft follow-up letters

SATISFACTION OF LIEN

\$75.00

- ❖ Prepare Satisfaction of Lien

FILE LIEN FORECLOSURE SUIT

\$750.00 plus
Filing fees

- ❖ Advise client
- ❖ Draft Complaint
- ❖ Prepare Summons(es) and Civil Cover Sheet
- ❖ Monitor service of process
- ❖ Obtain service extension orders from Court when required*
- ❖ Negotiations with debtor, opposing counsel, association, etc.
- ❖ Dismiss lawsuit if settled
- ❖ Filing Fees are \$400.00 plus \$50.00 per named Defendant to serve

SUMMARY FINAL

\$1,200.00

- ❖ Prepare Clerk's Default or supplemental pleadings
- ❖ Prepare Motion for Summary Final Judgment
- ❖ Prepare Summary Final Judgment, Affidavits and Notice of Hearing
- ❖ Attend Summary Final Judgment hearing
- ❖ Prepare documents for sale including Certificate of Title
- ❖ Attend foreclosure sale
- ❖ Correspond with Management Company/Association
- ❖ Possible negotiations

PAYMENT PLANS (billed to unit owner)

\$150.00

Upon Association's request, we will draft and monitor payment plans. The set-up fee of \$150.00 is added to the payment plan and there is a charge of \$15.00 per payment to handle the processing of the payments. If suit has been filed, add \$125.00 for preparation of court stipulation.

ANSWER AND MONITOR MORTGAGE FORECLOSURE

\$150.00

We will file an Answer on behalf of the Association and monitor the case through conclusion. If Certificate of Title is issued, we will send a letter to the new owner with a demand for past due assessments. *****As an alternate payment we offer a flat fee of \$450.00 to file the answer and monitor the case with a review pleadings until the end of the case.*****

TRIAL WORK**\$195.00/Hour**

Pre-trial work through post-judgment (excluding flat fee services)

BANKRUPTCY**\$225.00/Hour**

Each case is unique, therefore we cannot estimate the amount of time it will take to complete a bankruptcy case.

PLEASE NOTE THAT THIS FEE SCHEDULE APPLIES TO ORDINARY FORECLOSURE CASES. SHOULD AN ORDINARY CASE BECOME COMPLEX, FEES WILL BE BILLED AT \$250.00 PER HOUR. THE ABOVE RATES ARE FOR ATTORNEYS' FEES ONLY AND DO NOT INCLUDE COURT COSTS.

COVENANT ENFORCEMENT - INITIAL DEMAND LETTER**\$150.00**

- ❖ Verify ownership of property
- ❖ Review previous correspondence from association to owner
- ❖ Review photos of violation, if provided
- ❖ Review applicable governing documents/statutes
- ❖ Prepare demand letter to homeowner
- ❖ Prepare one follow-up letter or email to association

SECOND AND SUBSEQUENT DEMAND LETTERS**\$100.00**

- ❖ Review previous correspondence
- ❖ Confirm with Board or Property Manager that violation still exists
- ❖ Prepare second (third, etc.) demand letter to homeowner

COVENANT ENFORCEMENT - COMPLAINT (LAWSUIT)**\$750.00 plus
Filing fees**

- ❖ Confirm again that violation still exists
- ❖ Draft Complaint for injunction or declaratory action
- ❖ Prepare Summons(es) and Civil Cover Sheet
- ❖ File Complaint
- ❖ Serve homeowner with complaint
- ❖ Obtain service extension orders from Court when required
- ❖ More than one violation (same property), add \$100.00 per additional violation
- ❖ Filing Fees are \$400.00 plus \$50.00 per named Defendant to serve