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IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT  
IN AND FOR INDIAN RIVER COUNTY, FLORIDA

PALM ESTATES AT VERO BEACH  
CONDOMINIUM ASSOCIATION, INC., A  
FLORIDA NOT-FOR-PROFIT CORPORATION

Plaintiff,  
v.

CASE NO. 31 2026 CA 000397

ERIN CHAPPELEAR AND UNKNOWN TENANT  
N/K/A MARTIN DOE

Defendant(s).  
\_\_\_\_\_ /

**FINAL JUDGMENT OF FORECLOSURE**

**THIS ACTION** came before the Court via Zoom on September 22, 2026 for hearing on the Plaintiff's Motion For Entry of Summary Final Judgment filed on July 20, 2026 (DE 27) and on the evidence presented and after reviewing the Court file and being otherwise duly advised in the premises,

**IT IS ORDERED AND ADJUDGED** that:

**1. Motion Granted.** There is no dispute of material facts and Plaintiff's Motion for Summary Judgment is granted. The Court further finds Defendants have not proven any avoidances to the entry of Final Summary Judgment of Foreclosure.

**2. Value of Claim.** At the initiation of this action, in accordance with Fl. Stat. § 28.241(1)(a)2.b, Plaintiff estimated the amount in controversy of the claim to be **\$15,267.50**. In accordance with Fl. Stat. § 28.241(1)(a)2.c, the Court identifies the actual value of the claim to be **\$24,689.60**, as set forth below. For any difference between the estimated amount in controversy and the actual value of the claim that requires the filing fee to be adjusted, the Clerk shall adjust the filing fee. In determining whether the filing fee needs to be adjusted, the graduated filing fee scale in Fl. Stat. § 28.241(1)(a)2.d controls. If an excess filing fee was paid, the Clerk shall provide a refund of the excess fee. If an additional filing fee is owed, the Plaintiff shall pay the additional fee at least five (5) business days prior to the judicial sale. If any additional filing fee owed is not paid prior to the judicial sale, the Clerk shall cancel the judicial sale without further order of the Court.

**3. Amounts Due.** Plaintiff, Palm Estates at Vero Beach Condominium Association Inc., c/o Kaye Bender Rembaum, P.L., 1200 Park Central Boulevard South, Pompano Beach, FL 33064, is due:

|                                                                                     |                    |
|-------------------------------------------------------------------------------------|--------------------|
| Principal Association Assessments from January 1, 2024 through September 1, 2026    | \$17,214.00        |
| Interest on Principal from January 1, 2026 to September 21, 2026, at 18 % per annum | \$3,605.76         |
| Late Fees                                                                           | \$150.00           |
| Title search expense                                                                | \$125.00           |
| Attorneys' fees                                                                     |                    |
| Finding as to reasonable number of hours at \$350/hr                                | 3.0                |
| Finding as to reasonable hourly rate for Attorney time (A)                          | \$1,050.00         |
| Finding as to reasonable number of hours at \$250/hr                                | 6.6                |
| Finding as to reasonable hourly rate for Blended time (B)                           | \$1,650.00         |
| Finding as to reasonable number of hours at \$175/hr                                | 0.6                |
| Finding as to reasonable hourly rate for Paralegal time (P)                         | \$105.00           |
|                                                                                     | \$1,286.00         |
| Total Number of hours (hourly)                                                      | 10.2               |
| Attorneys' fees total                                                               | \$4,091.00         |
| Court costs                                                                         |                    |
| Filing fee                                                                          | \$430.00           |
| Service of Process                                                                  | \$355.00           |
| Publication for Sale                                                                | \$250.00           |
| Clerk of Court Pre-Sale Fee                                                         | \$145.00           |
| Placing of Lien                                                                     | \$40.84            |
| Subtotal                                                                            | \$26,406.60        |
| LESS: Escrow balance                                                                | (\$1,717.00)       |
| <b>TOTAL</b>                                                                        | <b>\$24,689.60</b> |

**4. Interest.** The total amount in paragraph 3 must bear interest from this date forward at the prevailing statutory rate of interest of 8.06% a year.

**5. Lien on Property.** Plaintiff holds a lien for the total sum superior to all claims or estates of Defendant(s), (with the exception of any assessments that are superior pursuant to Section 718.116, or 720.3085, Florida Statutes) on the following described property in Indian River County, Florida:

**UNIT NO 2424, BUILDING 7 OF PALM ESTATES AT VERO BEACH CONDOMINIUM , A CONDOMINIUM, TOGETHER WITH AN UNDIVIDED INTEREST IN THE COMMON ELEMENTS, ACCORDING TO THE DECLARATION OF CONDOMINIUM RECORDED IN O.R. BOOK 2039, PAGE 1688, AND ALL EXHIBITS AND AMENDMENTS THEREOF, PUBLIC RECORDS OF INDIAN RIVER COUNTY FLORIDA AND ALL AMENDMENTS THERETO, Property Address: 2424 57TH CIRCLE, VERO BEACH, FLORIDA 32966**

**6. Sale of Property.** If the total sum with interest at the rate described in paragraph 2 and all costs accrued subsequent to this judgment are not paid, the Clerk of this court must sell the property at public sale on **NOVEMBER 6, 2026** to the highest bidder for cash, except as prescribed in paragraph 6, by electronic sale at Indian River County beginning at **10:00 a.m., [www.indian-river.realforeclose.com](http://www.indian-river.realforeclose.com)**, in accordance with section 45.031, Florida Statutes. **The public sale must not be postponed or canceled without a court order. All orders postponing or canceling the sale must be filed with the Clerk of court no later than 5:00 p.m. five (5) business days before the sale date. Counsel for Plaintiff must be certain that all sale and Clerk fees are paid and that the original proof of publication is filed no less than five (5) business days before the sale date. Failure to timely file the original proof of publication of the notice of sale and pay the sale and Clerk fees will stop the sale. Additionally, the failure of Plaintiff's counsel to pay the sale fee and properly and timely publish the notice of sale may result in sanctions against the Plaintiff, Plaintiff's counsel individually, and the law firm representing the Plaintiff.** Any electronic sale by the Clerk must be in accordance with the written administrative policy for electronic sales published by the Clerk at the official website for the Clerk and posted in the public areas of the Clerk's offices.

**7. Costs.** Plaintiff must advance all subsequent costs of this action and must be reimbursed for them by the Clerk if Plaintiff is not the purchaser of the property for sale, provided, however, that the purchaser of the property for sale must be responsible for the documentary stamps payable on the certificate of title. If Plaintiff is the purchaser, Plaintiff must file an affidavit within 5 business days and the Clerk must credit Plaintiff's bid with the total sum with post-judgment interest and costs accruing subsequent to this judgment, or such part of it, as is necessary to pay the bid in full. The Clerk must receive the service charge imposed in Section 45.031, Florida Statutes.

**8. Distribution of Proceeds.** On filing the certificate of title, the Clerk must distribute the proceeds of the sale, so far as they are sufficient, by paying: first, all of Plaintiff's costs; second, documentary stamps affixed to the certificate; third, Plaintiff's attorneys' fees; fourth, the total sum due to Plaintiff, less the items paid, plus interest at the rate prescribed in paragraph 2 from this date to the date of the sale; and by retaining any remaining amount pending further order of this court.

**9. Right of Redemption.** On filing the certificate of sale, Defendant(s) and all persons claiming under or against Defendant(s) since the filing of the notice of lis pendens must be foreclosed of all estate or claim in the property, and Defendant's right of redemption as prescribed by section 45.0315, Florida Statutes, must be terminated, except as to the rights of a bona fide tenant occupying residential premises under the Federal Protecting Tenants at Foreclosure Act, 12 U.S.C. sec. 5220, note, or section 83.5615, Florida Statutes, and claims or rights under chapter 718 or chapter 720, Florida Statutes, if any.

**10. Right of Possession.** On the filing of the certificate of title, the person named on the certificate of title must be let into possession of the property subject to the rights of a bona fide tenant occupying residential premises under the Federal Protecting Tenants at Foreclosure Act, 12 U.S.C. sec 5220, note, or section 83.5615, Florida Statutes. If any Defendant or tenant remains in possession of the property, an Order Granting the Motion for Writ of Possession must be entered without further notice or hearing, subject to the purchaser's compliance with Section 83.5615, Florida Statutes.

**11. Attorneys' Fees.** The Court has reviewed the Affidavit of Attorney's Time and Costs and the Affidavit of Reasonable Attorneys' Fees attached to the Motion (pages 7-10) and, applying the lodestar method of *Florida Patient's Compensation Fund v. Rowe*, 472 So. 2d 1145 (Fla. 1985), and Section 718.116(6)(a), Florida Statutes, finds as follows: A reasonable hourly rate is \$350.00 for attorney (A) time, \$250.00 for blended attorney/paralegal (B) time, and \$175.00 for paralegal (P) time. The reasonable number of hours necessarily expended incident to the collection of this lien is 3.0 attorney (A) hours (\$1,050.00), 6.6 blended (B) hours (\$1,650.00), and 0.6 paralegal (P) hours (\$105.00), together with \$1,286.00 in reasonable flat-fee charges, yielding a total reasonable attorney's fee of \$4,091.00, which includes the reasonable fees for post-judgment sale-administration work through the judicial sale. The Court disallows \$2,135.50 of the \$6,226.50 requested as not reasonably or necessarily incurred in the collection of this lien, consisting of: (i) time billed to the separate mortgage foreclosure ("Bank Case") action (\$1,147.50); (ii) clerical and administrative tasks, including docketing, electronic filing, file review, updating the collection report, and monitoring the electronic sale (\$630.50); and (iii) time preparing the fee affidavits and litigating the amount of fees, which is non-compensable, *State Farm Fire & Casualty Co. v. Palma*, 629 So. 2d 830 (Fla. 1993), and *Nalasco v. Buckman, Buckman & Reid, Inc.*, 171 So. 3d 759 (4th DCA 2015) (\$357.50). Clerical and secretarial time is not compensable as attorney's fees. *Boca View Condominium Ass'n, Inc. v. Lepselter*, 392 So. 3d 144 (4th DCA 2024). The Court further taxes \$1,345.84 in costs and disallows \$147.70 in non-taxable costs (postage, mail and copy charges, association administrative fees, and the expert fee for the reasonable-fee affidavit). *Lewis v. Thunderbird Manor, Inc.*, 60 So. 3d 1182 (2d DCA 2011). These reasonable attorney's fees and taxable costs are included in the Amounts Due set forth in paragraph 3.

**12. Jurisdiction Retained.** Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, a deficiency judgment, writs of possession and such supplemental relief or judgments as may be appropriate.

**IF THIS PROPERTY IS SOLD AT PUBLIC AUCTION, THERE MAY BE ADDITIONAL MONEY FROM THE SALE AFTER PAYMENT OF PERSONS WHO ARE ENTITLED TO BE PAID FROM THE SALE PROCEEDS PURSUANT TO THE FINAL JUDGMENT. IF YOU ARE A SUBORDINATE LIENHOLDER CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN THE**

DATE THAT THE CLERK REPORTS THE FUNDS AS UNCLAIMED. IF YOU FAIL TO FILE A TIMELY CLAIM, YOU WILL NOT BE ENTITLED TO ANY REMAINING FUNDS.

IF YOU DECIDE TO SELL YOUR HOME OR HIRE SOMEONE TO HELP YOU CLAIM THE ADDITIONAL MONEY, YOU SHOULD READ VERY CAREFULLY ALL PAPERS YOU ARE REQUIRED TO SIGN, ASK SOMEONE ELSE, PREFERABLY AN ATTORNEY WHO IS NOT RELATED TO THE PERSON OFFERING TO HELP YOU, TO MAKE SURE THAT YOU UNDERSTAND WHAT YOU ARE SIGNING AND THAT YOU ARE NOT TRANSFERRING YOUR PROPERTY OR THE EQUITY IN YOUR PROPERTY WITHOUT THE PROPER INFORMATION. IF YOU CANNOT AFFORD TO PAY AN ATTORNEY, YOU MAY CONTACT FLORIDA RURAL LEGAL SERVICE – 10570 S. US HIGHWAY 1, THIRD FLOOR, PORT ST. LUCIE, FLORIDA 34952, 772-466-4766, TO SEE IF YOU QUALIFY FINANCIALLY FOR THEIR SERVICES. IF THEY CANNOT ASSIST YOU, THEY MAY BE ABLE TO REFER YOU TO A LOCAL BAR REFERRAL AGENCY OR SUGGEST OTHER OPTIONS. IF YOU CHOOSE TO CONTACT FLORIDA RURAL LEGAL SERVICE – TREASURE COAST OFFICE, (772) 466-4766, FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

IF YOU ARE THE PROPERTY OWNER, YOU MAY CLAIM THESE FUNDS YOURSELF. YOU ARE NOT REQUIRED TO HAVE A LAWYER OR ANY OTHER REPRESENTATION AND YOU DO NOT HAVE TO ASSIGN YOUR RIGHTS TO ANYONE ELSE IN ORDER FOR YOU TO CLAIM ANY MONEY TO WHICH YOU ARE ENTITLED. PLEASE CHECK WITH THE CLERK OF THE COURT, 2000 16TH AVENUE, VERO BEACH, FL 32960 772-226-3100 WITHIN 10 DAYS AFTER THE SALE TO SEE IF THERE IS ADDITIONAL MONEY FROM THE FORECLOSURE SALE THAT THE CLERK HAS IN THE REGISTRY OF THE COURT.

**DONE AND ORDERED** on September 22, 2026 at Vero Beach, Indian River County, Florida.

*eSigned by Judge Cynthia L. Cox* 09/22/2026 11:52 am  
CYNTHIA L. COX, CIRCUIT JUDGE

**A COPY OF THIS ORDER IS BEING SERVED ON THE FOLLOWING PARTIES VIA THE E-FILING PORTAL:**

David M. Dilts, Esquire, Attorney for Plaintiff; [efilings@kbrlegal.com](mailto:efilings@kbrlegal.com)

**COUNSEL FOR PLAINTIFF SHALL IMMEDIATELY SERVE A COPY OF THIS ORDER ON THE FOLLOWING PARTIES AND FILE A CERTIFICATE OF SERVICE IN THIS COURT FILE:**

Erin Chappellear, 4730 Bella Rae Lane SW, Vero Beach, FL 32966  
Unknown Tenant NKA Martin Doe, 2424 57th Circle, Vero Beach, FL 32966