

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT, IN AND
FOR ORANGE COUNTY, FLORIDA

CASE NO.: 2023-CA-001503-O

FOUNDATION BUILDING
MATERIALS, LLC, a California
limited liability company,

Plaintiff,

vs.

CENTRAL FLORIDA HEALTH AND REHAB
CLINIC, LLC, a Florida limited liability company
d/b/a SMOOTH BODY CONTOURS;
and FLORIDA REMODELING
CONTRACTORS, LLC, a Florida limited
liability company,

Defendants.

FINAL JUDGMENT OF
FORECLOSURE IN FAVOR OF FOUNDATION BUILDING
MATERIALS, LLC AND AGAINST FLORIDA REMODELING
CONTRACTORS, LLC INVALIDATING CONSTRUCTION LIEN

This cause having come before the Court upon:

Plaintiff's Motion for Entry of Default Final Judgment of Foreclosure Against
Florida Remodeling Contractors, LLC, certificate of service date August 23,
2023,

and upon consideration of the evidence presented, and the Court finding that it has
jurisdiction of the subject matter and parties, and that due and legal service of process
was perfected upon the FLORIDA REMODELING CONTRACTORS, LLC, a Florida

limited liability company (hereinafter sometimes referred to as "FLORIDA REMODELING"), that FLORIDA REMODELING was provided proper notice, and the Court being otherwise fully advised in the premises, the Court finds:

FINDINGS

The Claim of Lien of FLORIDA REMODELING CONTRACTORS, LLC attached hereto as Exhibit "A" fails to meet the basic requirements of Section 713.08, Florida Statutes as a result of including but not limited to the following:

- a. It was prepared by a non-lawyer being an employee of Express Lien, Inc. d/b/a Levelset in either Beaverton, Oregon or Orleans Parish, Louisiana;
- b. It was executed by Michael Mann without personal knowledge in Orleans Parish, Louisiana and it provides that he was the agent solely for the "signing and presenting for filing this claim of lien";
- c. It was not executed by an employee of FLORIDA REMODELING CONTRACTORS, LLC or an agent acquainted with the facts stated therein as required by Section 713.08(2), Florida Statutes;
- d. The contents of FLORIDA REMODELING CONTRACTORS, LLC's Claim of Lien is not sworn to as accurate as required by Section 713.08, Florida Statutes;
- e. It is likely that the preparation of the Claim of Lien by a non-lawyer constitutes the unlicensed practice of law; and

f. It contains a prior version of the statutorily mandated notarial jurat.

THEREFORE it is,

HOLDINGS

ORDERED and ADJUDGED:

1. The construction lien of Plaintiff, FOUNDATION BUILDING MATERIALS, LLC (hereinafter sometimes referred to as "Plaintiff"), recorded on September 8, 2022, in Official Records Document #20220551601, Public Records of Orange County, Florida, constitutes a valid construction lien as of the recording date and time of the recordation of Plaintiff's construction lien, **superior to the interests of FLORIDA REMODELING CONTRACTORS, LLC** and/or its assigns, to secure the payment of the amounts due Plaintiff to be liquidated by further hearing of this Court against the following described real property in Orange County, Florida, to wit:

A parcel of real property located and lying in the Northwest 1/4 of Section 30, Township 22 South, Range 29 East, Orange County, Florida, as more particularly described in that certain Warranty Deed recorded on May 3, 2022, in Official Records Document # 20220283253, Public Records of Orange County, Florida.

2. FOUNDATION BUILDING MATERIALS, LLC, a California limited liability company prevailed on the significant issues in this action and is the prevailing party in this cause, whose address is 1924 West Princeton Street, Orlando, Florida 32804, and whose mailing address is c/o Barry Kalmanson, Professional Association, 500 North Maitland Ave., Suite 305, Maitland, Florida 32751.

FBM v. Central Florida Health
Case No. 2023-CA-001503-O

It is therefore further ADJUDGED that within five days from the date of eservice of this Judgment, the Plaintiff shall:

1. Furnish a copy of this Judgment to each self-represented party by U.S. Mail, first class, postage paid; and
2. File a certificate signed by Plaintiff's counsel that delivery of this Judgment has been made as set forth herein.

DONE AND ORDERED in Chambers at the Orange County Courthouse, Orlando, Florida this 5th day of September 2023.


09/07/2023 12:54:03
eSigned by Jeffrey Ashton 09/07/2023 12:54:03-NTki0bu

Jeffrey L. Ashton
CIRCUIT JUDGE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I electronically filed the foregoing, via the Florida Courts E-Filing Portal, which will send a Notice of Electronic Filing to the parties listed. The Court further Orders the Moving Party, and if no Moving Party, the Plaintiff, to IMMEDIATELY serve a true and correct copy of this Order to all parties/counsel(s) of record, for whom service is not included in E-file service and file proof of such service with the Clerk of the Court.

Marcia Thomas

Judicial Assistant

EXHIBIT

“A”

DOC # 20220531826
08/31/2022 08:14 AM Page 1 of 5
Rec Fee: \$44.00
Deed Doc Tax: \$0.00
Mortgage Doc Tax: \$0.00
Intangible Tax: \$0.00
Phil Diamond, Comptroller
Orange County, FL
Ret To: CSC INC

Recording Requested by:
Florida Remodeling Contractors

Prepared by and Return To:
Florida Remodeling Contractors
c/o Mail Center
9450 SW Gemini Dr #7790
Beaverton, Oregon 97008-7105
Reference ID: 9746609

SPACE ABOVE FOR RECORDER'S USE

CLAIM OF LIEN

WARNING! THIS LEGAL DOCUMENT REFLECTS THAT A CONSTRUCTION LIEN HAS BEEN PLACED ON THE REAL PROPERTY LISTED HEREIN. UNLESS THE OWNER OF SUCH PROPERTY TAKES ACTION TO SHORTEN THE TIME PERIOD, THIS LIEN MAY REMAIN VALID FOR ONE YEAR FROM THE DATE OF RECORDING, AND SHALL EXPIRE AND BECOME NULL AND VOID THEREAFTER UNLESS LEGAL PROCEEDINGS HAVE BEEN COMMENCED TO FORECLOSE OR DISCHARGE THIS LIEN.

Lienor
Florida Remodeling Contractors
450 S Orange Ave
Orlando, Florida 32801
407.749.4146

Property Lient ("Property")
State of Florida
County: Orange County

453 North Kirkman Road
Orlando, Florida 32811

Property Owner ("Owner")
Smooth Body Contours
453 North Kirkman Road
Orlando, Florida 32811
Central Florida Health And Rehab Clinic LLC
3975 S Orange Blossom Trl Ste 105
Orlando, Florida 32839

Legal Property Description:

Hiring Party: Name and Address of person or entity to whom Claimant furnished labor, services, equipment and/or materials:

Smooth Body Contours
453 North Kirkman Road
Orlando, Florida 32811

Services: The lien is claimed for the following labor, services, equipment or materials: Materials: Dumpsters, Drywall, Metal frame, Barn Doors 7, Wood Panels for Reception area. Door hardware, 2 Vanities, 2 toilets. Interior paint, epoxy instead of concrete paint Labor baseboard installation, doors installation throughout facility, Design and install custom reception desk, Install Door hardware, Reattach AC ducts, Install 2 new toilets, Install 2 new vanities

Date Services First Furnished: June 22, 2022
Date Services Last Furnished: August 11, 2022

Amount Due and Unpaid:
\$16,460.00

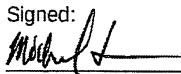
Amount of Total Contract:
\$49,112.50

State of Louisiana
County of Orleans

Before Me, the undersigned Notary Public, personally came and appeared Michael Mann, the duly authorized agent of Florida Remodeling Contractors for the purposes of only signing and presenting for filing this Claim of Lien, who was duly sworn and says that, pursuant to the information provided by Florida Remodeling Contractors the information on this Claim of Lien is accurate and true. And, solely as represented by Florida Remodeling Contractors through information provided, that in accordance with a contract with the Hiring Party, the Lienor Furnished the labor, services, and/or materials above-identified as the Services, said Services were furnished on the above-described Property.

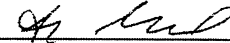
The Property is owned by the Property Owner.

As represented by Florida Remodeling Contractors the total contract price between the Hiring Party and the Lienor is above-identified as the Amount of Total Contract. Of this amount, the above-identified Amount of Total Claim remains unpaid, the Services were first furnished to the Property on the above-identified Dates Services First Furnished, and last furnished to the Property on the above-identified Dates Services Last Furnished, and the Lienor delivered the required preliminary Notice to Owner on the above-indicated dates to the above-indicated parties, if any.

Signed:


Florida Remodeling Contractors, Lienor
Signed by: Michael Mann agent
Date: August 30, 2022

Sworn to (or affirmed) and subscribed before me, Notary Public, on August 30, 2022

 (SEAL)

Notary Public
Commission Expires: At Death

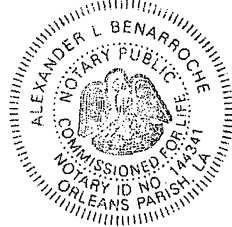


Exhibit A



Bill To

Smooth Body Contour

Florida Remodeling Contractors

450 S. Orange Ave, 3rd Floor
 Orlando, FL 32801
 Phone: (407) 749-4146
 Email: hire.frc@gmail.com
 Web: www.HireFrc.com

Payment terms Due upon receipt
 Invoice # 1801
 Date 06/22/2022
 Business / Tax # 46-4313712

Description	Rate	Quantity	Total
Floor prep Floor prep throughout with concrete grinding to remove glue adhesive from previous carpet	\$1.50	3,440	\$5,160.00
Concrete Paint Labor Only and material for concrete paint on all Spa sqft flooring Charcoal grey paint selection	\$2.50	3,440	\$8,600.00
Ceiling Paint Labor and Material on Ceiling Paint throughout spa with dryfall black eggshell/satin paint Scaffolds included and prep work	\$3.50	3,440	\$12,040.00
Interior Painting Walls Labor and Material for all walls throughout Spa painted. Prep walls with mud finish to cover all holes and caulk all crack areas Eggshell and clients selection of paints.	\$1.50	8,235	\$12,352.50

Subtotal	\$38,152.50
Total	\$38,152.50

Payment Summary

06/13/2022 - Bank Transfer	\$19,050.00
07/23/2022 - Bank Transfer	\$8,600.00
08/04/2022 - Bank Transfer	\$5,000.00
Paid Total	\$32,650.00
Remaining Amount	\$5,502.50

Notes:

Phase 2 of Spa
Prep work has started as of 6/1/2022
All Work Complete on this scope 7/26/2022

"We Turn Tragic Into Magic"

By accepting this document, the customer agrees to the services and conditions outlined in this document.

Smooth Body Contour