

Renee Cairney

From: Lianne Habets <leerealtorbrevard@gmail.com>
Sent: Friday, September 27, 2024 9:13 AM
To: Renee Cairney; Marc Brown
Subject: buyer withheld info that would change judge's opinion 779 tulip st
Attachments: hold harmless tulip.pdf

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Good morning Renee and Marc, (our attorney)

Thank you for returning my call Renee. I'm one of the buyers on 1447 eden dr. We are in litigation with Mrs Douthit, however I don't want Mrs Douthit to lose \$115k. (I was not her realtor in this transaction) The sale of these 2 properties is messy and I hope I can clear something up.

This email is regarding a proposed solution from the judge during the special magistrate hearing. The buyer withheld important information that would probably change the judge's opinion. If I understood correctly, the judge proposed to transfer +/- 115k of the \$125300 lien to 1447 Eden dr. because the current buyer didn't accumulate those liens, but Mrs Douthit did.

Mrs Douthit sold 779 Tulip st in February of 2024 for \$191,828 according to the records.

At closing, mrs. Douthit paid \$125300 to the buyer. (the full lien amount, see hold harmless agreement)
So the buyer paid \$66,528 for 779 Tulip st. and took possession of Tulip st including all liens.

Mrs. Douthit thought the money she paid to the buyer was used to pay off the liens. However, the hold harmless agreement is absolutely horrible. It states the buyer can 'use said funds in any manner the buyer chooses.' Nowhere did it say he had to pay off the liens, and when. (that attach to Eden dr as well)

The current owner of Tulip st did NOT pay off the liens.

He requested a special magistrate hearing in hopes to have the liens reduced.

During yesterday's hearing, the owner of Tulip st. didn't mention he received the \$125300 and the judge advised to reduce Tulips liens to \$10,266.44 [REDACTED]

The current owner of Tulip st. would pay only \$66,528 purchase price + \$10,266.44 in liens = \$76,794.44.

This would mean Mrs Douthit would have to pay these liens again (+/- 115k) with the sale of 1447 Eden dr. Paying a total of +/- 240k.

We are in litigation with Mrs. Douthit, but I can't let this happen without informing everyone, so the judge can make an informed decision.

Below is the link to the hearing. (2:43 hours in is Tulip dr)

https://www.youtube.com/watch?v=gn3ePJ_gcnI