

IN THE COUNTY COURT OF THE SEVENTH JUDICIAL CIRCUIT
IN AND FOR FLAGLER COUNTY, FLORIDA

FKH SFR PROPCO K, L.P., a Delaware Limited Partnership,
Plaintiff,

v.

CASE NO.: 2023 CC 000201

UNKNOWN PERSON(S) IN POSSESSION,
Defendant.

_____ /

COMPLAINT - UNLAWFUL ENTRY/UNLAWFUL DETENTION

FKH SFR PROPCO K, L.P., a Delaware Limited Partnership (“Plaintiff”), by and through the undersigned attorney, sues UNKNOWN PERSON(S) IN POSSESSION (“Defendant”), and alleges:

1. This is an action for unlawful entry/unlawful detention pursuant to section 82.03(1) of the Florida Statutes to recover possession of certain real property located at 102 Luther Dr., Palm Coast, FL 32137 and more fully described as follows: LOT 7, BLOCK 11, PALM COAST, MAP OF LAKEVIEW, SECTION 37, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 13, PAGE(S) 1 THROUGH 29, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA (“Subject Property”).

2. Plaintiff also seeks to recover damages resulting from Defendant’s unlawful entry/unlawful detention onto the Subject Property pursuant to section 82.03(2) of the Florida Statutes.

3. Defendant presently resides at the Subject Property.

4. At all times relevant to this action, Plaintiff was the owner in fee simple and entitled to the possession of the Subject Property.

5. On or about March 23, 2023, unknown to Plaintiff, Defendant unlawfully entered into possession of the Subject Property and, without right or authority of law or Plaintiff's consent, took possession of the Subject Property.

6. Plaintiff's agent discovered Defendant residing in the Subject Property on or around March 23, 2023.

7. At least since March 23, 2023, Defendant has been in possession of the Subject Property and have unlawfully, willfully, and knowingly withheld and continue to withhold possession of the Subject Property from Plaintiff, against the will of Plaintiff, all to Plaintiff's damage.

8. The monthly rental value of the Subject Property dwelling is \$2,245.00.

9. Pursuant to section 82.091 of the Florida Statutes, Plaintiff is entitled to recover possession of the Subject Property.

10. Plaintiff performed all conditions precedent to be performed by Plaintiff or the conditions have occurred.

11. Plaintiff is entitled to an award of damages and costs pursuant to sections 82.03(2) and 82.091 of the Florida Statutes.

12. Plaintiff is entitled to the Summary Procedure provided in section 51.011 of the Florida Statutes.

WHEREFORE, Plaintiff, FKH SFR PROPCO K, L.P., a Delaware Limited Partnership,
demands judgment for possession of the Subject Property against Defendant UNKNOWN
PERSON(S) IN POSSESSION, together with costs, and such further relief as the Court finds
necessary and just.

Respectfully,

/s/ Mark R. Lippman
Mark R. Lippman, Esq.
Florida Bar No.: 244030
Baldwin Park Center
4767 New Broad Street
Orlando, FL 32814
407-648-4213 (Phone)
407-839-3948 (Fax)
Attorney for Plaintiff
Primary: filings@llopa.com
Secondary: mlippman@llopa.com