

Real Property, Financial Services, & Title Insurance Update: Week Ending July 16, 2021

July 16, 2021

Real Property Update

- **Foreclosures / Voluntary Dismissal / Attorneys' Fees:** Condominium owner sued for nonpayment of assessments not entitled to attorneys' fees in action brought by association to foreclose where voluntary dismissal was only filed after association's foreclosure claim became moot because a superior lienor foreclosed – [Georges v. Avanti Condo. Ass'n](#), No. 1D20-1192 (Fla. 1st DCA July 13, 2021) (affirmed)
- **Eviction / Deposit of Rent Into Registry:** Eviction judgment affirmed against tenant that failed to pay rent to be paid into court registry – [Lee v. 1510 N.E. 109 St., LLC](#), No. 3D21-265 (Fla. 3d DCA July 14, 2021)

Financial Services Update

- **FCRA / Accuracy of Information:** FCRA imposes a “maximal accuracy standard,” and to state a claim, a plaintiff must show that a report is factually incorrect, objectively likely to mislead its intended user, or both – [Mayer v. Holiday Inn Club Vacations Inc.](#), No. 6:20-cv-02283 (M.D. Fla. June 8, 2021)
- **FCRA / Investigation Obligation:** Consumer reporting agency only has duty to investigate disputed information upon receipt of a dispute by a consumer – [Mayer v. Holiday Inn Club Vacations Inc.](#), No. 6:20-cv-02283 (M.D. Fla. June 8, 2021)
- **FCRA / Accuracy of information:** Derogatory information in credit report that is factually accurate will not support claim under FCRA – [Lacey v. TransUnion, LLC](#), No. 8:21-cv-00519 (M.D. Fla. July 12, 2021)

Title Insurance Update

- No cases to report.

Related Practices

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