

# Real Property, Financial Services, & Title Insurance Update: Week Ending November 5, 2021

November 05, 2021

## Real Property Update

- **Development Orders / Proper Defendant:** Executive director of the Department of Economic Opportunity (DEO) was not a “proper defendant” in a declaratory action challenging the constitutionality of subsection 8(c) to section 163.3215, Florida Statutes, regarding prevailing party, where the DEO does not have a sufficient stake in defending a statute that appellants argue chills the ability of locally affected citizens to challenge local government decisions that are not consistent with the local comprehensive plan – [1000 Friends of Fla., Inc. v. Eagle](#), No. 1D20-2135 (Fla. 1st DCA Nov. 3, 2021) (affirmed)
- **Foreclosure / Judicial Foreclosure Sale:** Unrepresented litigant failed to articulate how the trial court abused its discretion in denying his motion to set aside or “reverse” the judicial foreclosure sale of his home – [Jenkins v. Silver Pines Ass’n, Inc.](#), No. 5D21-1740 (Fla. 5th DCA Nov. 5, 2021) (affirmed)

## Financial Services Update

No cases to report.

## Title Insurance Update

No cases to report.

# Related Practices

[Real Property Litigation](#)

[Consumer Finance](#)

[Title Insurance](#)

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