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Agency Name:	Broward County Clerk of Courts
Clerk of the Circuit Court:	Honorable Brenda D. Forman
Date Issued:	10/22/2019 11:55:47 AM
Unique Reference Number:	CAA-FAA-BCABB-EBDEEAEG-DHGGJ-H
Case Docket:	10/18/2019 - Motion - 14 Pages
Requesting Party Code:	500
Requesting Party Reference:	A201910221154112329

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Filing # 97509162 E-Filed 10/18/2019 11:54:14 AM

IN THE CIRCUIT COURT OF THE SEVENTEENTH
JUDICIAL CIRCUIT IN AND FOR BROWARD
COUNTY, FLORIDA
GENERAL JURISDICTION DIVISION
CASE NO. CACE12007647-11

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR
SOUNDVIEW HOME LOAN TRUST
2006-OPT5, ASSET-BACKED
CERTIFICATES, SERIES 2006-OPT5,
Plaintiff,

vs.

ROSA LEE GRIER, et al, in possession
Defendant(s).

**MOTION TO GRANT WRIT OF POSSESSION
FOR FAILURE TO VACATE PREMISES**

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR SOUNDVIEW
HOME LOAN TRUST 2006-OPT5, ASSET-BACKED CERTIFICATES, SERIES 2006-OPT5
(hereinafter "Purchaser") by and through its undersigned counsel, moves this Honorable Court for an
Order Granting a Writ of Possession. As good cause therefore states:

1. The Court entered a Final Judgment of Foreclosure in the subject action on or about August 08, 2018. See Exhibit "A" attached hereto.
2. The property was sold at a foreclosure sale on or about October 09, 2018 and a Certificate of Title was issued on or about January 10, 2019 awarding Purchaser title to the property. See Exhibit "B" attached hereto.
3. The Defendant(s), ROSA LEE GRIER A/K/A ROSA L. GRIER A/K/A ROSA GRIER A/K/A ROSALIE JENKINS A/K/A ROSALIE LEE JENKINS A/K/A ROSALIE L. JENKINS A/K/A ROSALIE GRIER A/K/A ROSA LEE JENKINS A/K/A ROSA GRIER A/K/A ROSA L. JENKINS; ROSALIE LEE JENKINS, INC; CURRENT OCCUPANT(S)/TENANT(S), or persons claiming an interest in the property through said Defendant(s), were and continue to remain in possession of the property and have failed to remove themselves as required by the Final Judgment of Foreclosure.
4. On September 12, 2019, counsel for Purchaser sent notice to the occupants of the subject property requesting any "bona fide" tenants to declare their rights under the Protecting Tenants at Foreclosure Act of 2009. See Exhibit "C".
5. The court has retained jurisdiction to enforce its Order requiring the Defendant(s), ROSA LEE GRIER A/K/A ROSA L. GRIER A/K/A ROSA GRIER A/K/A ROSALIE JENKINS A/K/A ROSALIE LEE JENKINS A/K/A ROSALIE L. JENKINS A/K/A ROSALIE GRIER A/K/A ROSA



11-15390 - MaZ

*** FILED: BROWARD COUNTY, FL. BRENDA D. FORMAN, CLERK 10/18/2019 11:54:10 AM.***



LEE JENKINS A/K/A ROSA GRIER A/K/A ROSA L. JENKINS; ROSALIE LEE JENKINS, INC;
CURRENT OCCUPANT(S)/TENANT(S), and any and all persons claiming an interest in the
property by or through said Defendant(s), to remove themselves from the property after the issuance
of title.

WHEREFORE, Purchaser requests this Honorable Court to enter an Order for the Clerk of the
Court to issue a Writ of Possession to the Sheriff of Broward County, Florida to remove forthwith
Defendant(s), ROSA LEE GRIER A/K/A ROSA L. GRIER A/K/A ROSA GRIER A/K/A ROSALIE
JENKINS A/K/A ROSALIE LEE JENKINS A/K/A ROSALIE L. JENKINS A/K/A ROSALIE GRIER
A/K/A ROSA LEE JENKINS A/K/A ROSA GRIER A/K/A ROSA L. JENKINS; ROSALIE LEE
JENKINS, INC; CURRENT OCCUPANT(S)/TENANT(S), and any others who may be residing in or on
the property contrary to the right of title and possession held by Purchaser.

I HEREBY CERTIFY that to date, no occupant has provided information proving they are
“bona fide” tenants under a “bona fide” lease agreement as defined under the Protecting Tenants at
Foreclosure Act of 2009 and as such, this motion does not seek an order that violates any occupant's right
to continued occupancy under the said Act.

ROBERTSON, ANSCHUTZ & SCHNEID, P.L.
Attorney for Purchaser
6409 Congress Ave., Suite 100
Boca Raton, FL 33487
Telephone: 561-241-6901
Facsimile: 561-997-6909
Service Email: mail@rasflaw.com

By: \S\Eric Bronfeld
Eric Bronfeld, Esquire
Florida Bar No. 232660
Communication Email: ebronfeld@rasflaw.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Motion to Grant Writ of Possession has been furnished to the parties listed on the below service list via Mail and/or E-mail in accordance with the corresponding addresses listed therein on this 17 day of October, 2019.

ROBERTSON, ANSCHUTZ & SCHNEID, P.L.
Attorney for Purchaser
6409 Congress Ave., Suite 100
Boca Raton, FL 33487
Telephone: 561-241-6901
Facsimile: 561-997-6909
Service Email: mail@rasflaw.com

By: \S\Eric Bronfeld
Eric Bronfeld, Esquire
Florida Bar No. 232660
Communication Email: ebronfeld@rasflaw.com

SERVICE LIST

ROBERTSON, ANSCHUTZ & SCHNEID, P.L.
6409 CONGRESS AVE., SUITE 100
BOCA RATON, FL 33487
PRIMARY EMAIL: MAIL@RASFLAW.COM

ROSA LEE GRIER A/K/A ROSA L. GRIER A/K/A ROSA GRIER A/K/A ROSALIE JENKINS A/K/A
ROSALIE LEE JENKINS A/K/A ROSALIE L. JENKINS A/K/A ROSALIE GRIER A/K/A ROSA LEE
JENKINS A/K/A ROSA L. JENKINS
5347 SW 25 ST
WEST PARK, FL 33023

ROSALIE LEE JENKINS, INC.
C/O ROSALIE LEE JENKINS, REGISTERED AGENT
5347 SW 25TH ST
WEST PARK, FL 33023

CURRENT OCCUPANT(S)/TENANT(S)
5347 SW 25 ST
WEST PARK , FL 33023

EXHIBIT A

**** FILED: BROWARD COUNTY, FL Brenda D Forman, CLERK 8/8/2018 4:30:00 PM ****

IN THE FLORIDA COURT OF THE
SEVENTEENTH JUDICIAL CIRCUIT OF
FLORIDA IN AND FOR BROWARD COUNTY
GENERAL JURISDICTION DIVISION
CASE NO: CACE12007647-11

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR SOUNDVIEW
HOME LOAN TRUST 2006-OPT5,
ASSET-BACKED CERTIFICATES, SERIES
2006-OPT5,
Plaintiff,

vs.

ROSA LEE GRIER A/K/A ROSA L. GRIER
A/K/A ROSA GRIER A/K/A ROSALIE JENKINS
A/K/A ROSALIE LEE JENKINS A/K/A
ROSALIE L. JENKINS A/K/A ROSALIE GRIER
A/K/A ROSA LEE JENKINS A/K/A ROSA
GRIER A/K/A ROSA L. JENKINS; ROSALIE
LEE JENKINS, INC.; ANY AND ALL
UNKNOWN PARTIES CLAIMING BY,
THROUGH, UNDER, AND AGAINST THE
HEREIN NAMED INDIVIDUAL
DEFENDANT(S) WHO ARE NOT KNOWN TO
BE DEAD OR ALIVE, WHETHER SAID
UNKNOWN PARTIES MAY CLAIM AN
INTEREST AS SPOUSES, HEIRS, DEVISEES,
GRANTEES, OR OTHER CLAIMANTS,
Defendant(s).

Filed In Open Court
CLERK OF THE CIRCUIT COURT
ON 8-8-18
BY SS

FINAL JUDGMENT OF FORECLOSURE

This action was tried before the court at a Non-Jury Trial on August 8, 2018. On the evidence presented, **IT IS ADJUDGED** that Plaintiff's Final Judgment is **GRANTED** against all defendants listed by name: ROSA LEE GRIER A/K/A ROSA L. GRIER A/K/A ROSA GRIER A/K/A ROSALIE JENKINS A/K/A ROSALIE LEE JENKINS A/K/A ROSALIE L. JENKINS A/K/A ROSALIE GRIER A/K/A ROSA LEE JENKINS A/K/A ROSA GRIER A/K/A ROSA L. JENKINS; ROSALIE LEE JENKINS, INC.;

11-15390 - JoG
CACE12007647-11

Antonio Campos 672467
Rosalie Jenkins

Page 1 of 5

1. **Amounts Due.** Plaintiff, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR SOUNDVIEW HOME LOAN TRUST 2006-OPT5, ASSET-BACKED CERTIFICATES, SERIES 2006-OPT5, whose address is c/o Ocwen Loan Servicing, LLC, 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409, is due:

Principal	\$193,151.49
Interest to date of this judgment: August 8, 2018	\$134,051.36
Escrow Credit	\$42,739.06
Late Charges	\$73.31
Inspections	\$370.75
Property Appraisals	\$507.00
Prior Servicer Fee	\$8,165.58
SUBTOTAL	\$379,058.55

Attorneys' Fees:

Finding as to reasonable number of hours: 79.50
 Finding as to reasonable hourly rate: \$215.00
 Flat Fee: \$3,450.00
 Finding as to reasonable number of hours: 14.00
 Finding as to reasonable hourly rate: \$175.00
 Flat Fee: \$3,450.00

Attorneys' Fee Total:

~~\$22,992.50~~ 13.5.

Court Costs, now taxed:

Filing Fee:	\$1,010.25
Service of Process:	\$225.00
Other:	\$1853.25

Pre-property report fee: \$250.00
 Registration of Property: \$25.00
 Title Update: \$50.00
 Service Mail: \$8.25
 Court Reporting: \$320.00
 Ocwen50- Plan: \$900.00
 Mediation Cost: \$300.00

SUBTOTAL

~~\$408,139.55~~ 23.5.

Less: Suspense Credit

(\$4,490.02)

TOTAL SUM

~~\$400,649.53~~ 277,657.03 23.5.

That shall bear interest at a rate in accordance with section 55.03(3), Florida Statute

2. **Lien on Property.** Plaintiff holds a lien for the total sum superior to all claims or estates of defendant(s), on the following described property in Broward County, Florida:

**LOT 2, BLOCK 50 OF REVISED PLAT OF CARVER RANCHES
ACCORDING TO THE PLAT
THEREOF AS RECORDED IN PLAT BOOK 21, PAGE 8 OF THE
PUBLIC RECORDS OF
BROWARD COUNTY, FLORIDA.**

Property Address: 5347 SW 25 ST, WEST PARK, FL 33023

3. **Sale of Property.** If the total sum with interest at the rate described in paragraph 1 and all costs accrued subsequent to this judgment are not paid, the Clerk of this Court shall sell the property at public sale on the 9 day of October, 2018, to the highest bidder for cash, except as prescribed in paragraph 4, at the courthouse located at 201 SE 6TH STREET, FORT LAUDERDALE, FL FL in Broward County, Florida, in accordance with section 45.031, Florida Statutes (2013), using the following method:

☒ www.broward.realforeclose.com beginning at 10:00 AM
4. **Costs.** Plaintiff shall advance all subsequent costs of this action and shall be reimbursed for them by the clerk if plaintiff is not the purchaser of the property for sale, provided, however, that the purchaser of the property for sale shall be responsible for the documentary stamps payable on the certificate of title. If plaintiff is the purchaser, the clerk shall credit plaintiff's bid with the total sum with interest and costs accruing subsequent to this judgment, or such part of it as is necessary to pay the bid in full.
5. **Distribution of Proceeds.** On filing the certificate of title the clerk shall distribute the proceeds of the sale, so far as they are sufficient, by paying: first, all of plaintiff's costs; second, documentary stamps affixed to the certificate; third, plaintiff's attorneys' fees; fourth, the total sum due to plaintiff, less the items paid, plus interest at the rate prescribed in paragraph 1 from this date to the date of the sale; and by retaining any remaining amount pending the further order of this court.
6. **Right of Redemption/Right of Possession.** On filing the certificate of sale, defendant(s) and all persons claiming under or against defendant(s) since the filing of the Notice of Lis Pendens shall be foreclosed of all estate or claim in the property, and defendant(s) right of redemption as prescribed by section 45.031⁵, Florida Statutes (2013) shall be terminated, except as to claims or rights under chapter 718 or chapter 720, Florida Statutes, if any. Upon the filing of the certificate of title, the person named on the certificate of title shall be let into possession of the property.
7. **Attorneys' Fees.** The Court finds, based upon the affidavits presented and upon inquiry of counsel for the Plaintiff, that the flat fee of \$3450.00 is reasonable and appropriate for the Plaintiff's counsel's attorney's fees. Furthermore, the Court finds, based upon the affidavits presented and upon inquiry of counsel for the Plaintiff, that 79.50 hours were reasonably

expended by Plaintiff's counsel and that and hourly rate of \$215.00 is appropriate. PLAINTIFF'S COUNSEL CERTIFIES THAT THE ATTORNEY FEE AWARDED DOES NOT EXCEED ITS CONTRACT FEE WITH PLAINTIFF. The Court finds that there are no reasons for either reduction or enhancement pursuant to *Florida Patient's Compensation Funds v. Rowe*, 472 So. 2d 1145 (Fla. 1985), and the Court therefore has awarded reasonable attorney's fees in the amount indicated in paragraph 1 of this Judgment.

8. **Jurisdiction Retained.** Jurisdiction is reserved over this action to enforce the Final Judgment and to enter further orders that are proper including, without limitation, an award of attorney's fees and costs, a deficiency decree (if sought and appropriate), writs of possession, orders granting leave to file supplemental and/or amended pleadings to add additional parties, and orders resolving any disputes with respect to assessments and/or other amounts allegedly due associations.

IF THIS PROPERTY IS SOLD AT PUBLIC AUCTION, THERE MAY BE ADDITIONAL MONEY FROM THE SALE AFTER PAYMENT OF PERSONS WHO ARE ENTITLED TO BE PAID FROM THE SALE PROCEEDS PURSUANT TO THE FINAL JUDGMENT.

IF YOU ARE A SUBORDINATE LIENHOLDER CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN 60 DAYS AFTER THE SALE. IF YOU FAIL TO FILE A CLAIM, YOU WILL NOT BE ENTITLED TO ANY REMAINING FUNDS.

ORDERED at FORT LAUDERDALE, BROWARD COUNTY, FLORIDA this 8 day of AUG., 2018.


HONORABLE PRESIDING JUDGE

COPIES FURNISHED TO:

ROBERTSON, ANSCHUTZ & SCHNEID, P.L.
ATTORNEYS FOR PLAINTIFF
6409 CONGRESS AVE., SUITE 100
BOCA RATON, FL 33487
PRIMARY EMAIL: MAIL@RASFLAW.COM

DEREK LEWIS P.A.
DEREK LEWIS, ESQ

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CACE12007647-11

ATTORNEY FOR ROSA LEE GRIER A/K/A ROSA L. GRIER A/K/A ROSA GRIER A/K/A
ROSALIE JENKINS A/K/A ROSALIE LEE JENKINS A/K/A ROSALIE L. JENKINS A/K/A
ROSALIE GRIER A/K/A ROSA LEE JENKINS A/K/A ROSA GRIER A/K/A ROSA L.
JENKINS

C/O DEREK LEWIS P.A.

P.O. BOX 612973

NORTH MIAMI, FL 33261

PRIMARY EMAIL: DVLESQ@DEREKLAWISLAW.NET

SECONDARY EMAIL: DVLESQ@GMAIL.COM

ROSALIE LEE JENKINS, INC.

C/O ROSALIE LEE JENKINS, REGISTERED AGENT, 5347 SW 25TH ST
WEST PARK, FL 33023

EXHIBIT B

Instr# 115550461, Page 1 of 1, Recorded 01/11/2019 at 01:40 PM
Broward County Commission
Deed Doc Stamps: \$0.00

**** FILED: BROWARD COUNTY, FL Brenda D. Forman, CLERK 1/10/2019 9:40:12 AM ****

**In the Circuit Court of the Seventeenth Judicial Circuit
In and for Broward County, Florida**

DEUTSCHE BANK NATIONAL TRUST COMPANY
Plaintiff
VS.
GRIER, ROSA LEE, ROSALIE LEE JENKINS INC
Defendant

CACE-12-007647
Division: 11

Certificate of Title

The undersigned, Brenda D. Forman, Clerk of the Court, certifies that she executed and filed a certificate of sale in this action on October 09, 2018, for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections.

The following property in Broward County, Florida:

**LOT 2, BLOCK 50 OF REVISED PLAT OF CARVER RANCHES
ACCORDING TO THE PLAT
THEREOF AS RECORDED IN PLAT BOOK 21, PAGE 8 OF THE
PUBLIC RECORDS OF
BROWARD COUNTY, FLORIDA.**

Property Address: 5347 SW 25 ST, WEST PARK, FL 33023

Was sold to: DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR SOUNDVIEW HOME LOAN
TRUST 2006-OPT5, ASSET-BACKED CERTIFICATES, SERIES 2006-OPT5
C/O Ocwen Loan Servicing, LLC 5720 Premiere Park Drive West Palm Beach, FL, 33407

Witness my hand and the seal of this court on January 10, 2019.



Brenda D. Forman, Clerk of the Circuit & County Court
Broward County, Florida

Total consideration: \$100.00
Doc Stamps: \$0.70

EXHIBIT C



ROBERTSON ANSCHUTZ & SCHNEID
LAW OFFICES

James Robertson, Esquire
Member of Texas Bar
Everett Anschutz, Esquire
Member of Texas Bar
David J. Schneid, Esquire
Member of Florida Bar

NOTICE TO OCCUPANTS

September 12, 2019

CURRENT OCCUPANT(S)
5347 SW 25 ST
WEST PARK, FL 33023

Via Certified Mail and copy via U.S. Mail

RE: DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR SOUNDVIEW
HOME LOAN TRUST 2006-OPT5, ASSET-BACKED CERTIFICATES, SERIES
2006-OPT5 vs. ROSA LEE GRIER A/K/A ROSA L. GRIER A/K/A ROSA GRIER A/K/A
ROSALIE JENKINS A/K/A ROSALIE LEE JENKINS A/K/A ROSALIE L. JENKINS
A/K/A ROSALIE GRIER A/K/A ROSA LEE JENKINS A/K/A ROSA GRIER A/K/A ROSA
L. JENKINS; ROSALIE LEE JENKINS, INC.; ET AL
Case No. CACE12007647-11 4D19-0222
File No. 11-15390 - NaC

Dear occupant(s):

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR SOUNDVIEW
HOME LOAN TRUST 2006-OPT5 ASSET-BACKED CERTIFICATES, SERIES 2006-OPT5 has
acquired this residential property via foreclosure. Robertson, Anschutz & Schneid, P.L. was retained by
Purchaser to obtain possession of this property.

**If you are the foreclosed borrower or parent, child or spouse of the foreclosed borrower, you
have until 9/22/2019 to vacate this property. If you fail to vacate this property by said date, eviction
will commence immediately.**

If you have a valid bona fide lease as defined in §702(b) of the Protecting Tenants at Foreclosure
Act of 2009 ("PTFA"), you may be able to continue under the terms of the lease substituting DEUTSCHE
BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR SOUNDVIEW HOME LOAN TRUST
2006-OPT5 ASSET-BACKED CERTIFICATES, SERIES 2006-OPT5, for the landlord. In order to



6409 Congress Ave., Suite 100 • Boca Raton, FL 33487
Office 561-241-6901 • Fax: 561-948-2682
Email: eviction@rasflaw.com

determine whether you qualify as a bona fide tenant, please submit the following documents and information to our office via email to eviction@rasflaw.com or via fax to 561-948-2682 within ten (10) days of the date of this letter:

1. An executed and complete copy of the lease for the subject premises or summary of the complete terms of the lease if your lease agreement is oral;
2. Proof of rental payments for the last three (3) months;
3. A telephone number, email address, or both to contact you.

Upon receipt of the lease agreement, proof of rental payments and the other required information we will review and determine whether the lease meets the criteria under PTFA and we will contact you with further updates and directions. If you fail to produce the documentation we shall presume that you are not a bona fide tenant under PTFA and you must vacate and surrender possession of the property.

If we determine the lease does not meet the criteria listed under PTFA, you will be notified within ten (10) days of receipt of all the required documentation and information. You will then have ten (10) days to vacate the property.

If you are an active duty member of the United States Armed Forces or a dependent of an active duty service member, you may be entitled to rights as provided in the Service Members Civil Relief Act. In such case, you or your attorney should contact this law firm and provide proof of military service immediately so that this firm can determine if you fall under the protection of the Act.

Please note that service members on "active duty" or "active service", or a dependent of such service member may be entitled to certain legal protections under the Service Members Civil Relief Act (50 U.S.C. App 3901 – 4043) (SCRA).

Please govern yourself accordingly,
Robertson, Anschutz & Schneid, P.L.

S/ Eric Bronfeld
Eric Bronfeld
Eviction Attorney