

South Shore Legal News

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N I C O L E M . C A M E R O N - A T T O R N E Y A T L A W

SPECIAL POINTS OF INTEREST:

- Upgrading an older home can save headaches for a home buyer.
- Watch out for the do-it-yourself repairs when buying a home.
- Hiring a home inspector prior to purchasing a home can save time and money for any home buyer.

INSIDE THIS ISSUE:

Do you need a referral for a service but do not know where to go?	2
PIP—What Does It All Mean?	2
The Fallout of the Foreclosure	3
Bankruptcy Law Could Prevent You From Filing	3
Afraid Your Memory Is Going or Know Someone Who Might Be?	4

TOP 10 CONCERNS FOR HOME BUYERS AND SELLERS

Buying or selling a home can be a very stressful time in life. Knowing the top defects that are common in a home can help make the buyer and seller a little less anxious about the whole process.

1. Structural Damage. A house can become unstable as it settles causing doors, walls and support beams to be out of alignment.
2. Roof. Roofs leak for a variety of reasons. It is important to find out what the repairs entail, i.e. replacing shingles or the entire roof.
3. Wiring. Depending on the age of the home, upgrades may need to be done. Are you going to be using a lot of electronics? If so, upgrades are important.
4. Heating system. It may be a benefit to replace older systems with more energy efficient ones. Gas and oil systems will require a carbon monoxide detector.
5. Drainage. Check for the grading of the property to see if water runs away from the house. Check gutters and downspouts and replace as necessary.
6. Plumbing. If pipes are made of polybutylene, they are prone to leak and should be replaced.
7. Ventilation. Bathrooms need proper ventilation to prevent moisture buildup causing structural damage inside walls.
8. Water seepage. Check for water coming in, leading to mold, mildew & dry rot. This will need to be caulked.
9. Improper maintenance. Do-it-yourself items from previous owners can cause problems in the future.
10. Hazardous material. Check for lead-based paint, asbestos, carbon monoxide, radon gas or toxic mold in older houses. These can cause serious health problems.

A good home inspector is invaluable during the purchasing process. Call our office for a referral to an inspector.

“ F R A N K S G I V I N G ? ”

In 1939 President Roosevelt moved Thanksgiving from the fourth Thursday in November to the third Thursday to allow an extra week of shopping before Christmas.

Opponents called the new holiday “Franksgiving” in pro-

test to the new holiday.

President Roosevelt admitted he made a mistake and in May 1941 mandated that the holiday would be held on the fourth Thursday of November as it is today.

Happy Thanksgiving!



DO YOU NEED A REFERRAL FOR A SERVICE BUT DO NOT KNOW WHERE TO GO?

Our firm has developed relationships with many businesses in the Tampa Bay Area. Are you in need of any of the following services? Call our office and we can refer you to a well qualified professional in that industry

Air Conditioning/Heating

Acupuncture

Appraisal Services

Auto Detailing

Auto Services

Banking Services

Business Furniture/Interiors

Catering

Cleaning

Cosmetics/Skin Car

Financial Planning

Flooring

General Contractor

Gift Baskets

Home Inspections

Home Staging

Insurance

IT Services

Landscaping/Lawn Services

Painting

Pool & Hot Tub Construction

Power Washing

Residential Real Estate

Residential Mortgage

Salon Services

Security Services

Tax Services

Title & Escrow Agency

PIP – WHAT DOES IT ALL MEAN?

“If you are or were in a car accident between Oct. 1, 2007 and Dec. 31, 2007, you must prove the other driver is at fault in order to receive insurance benefits for your injuries.”



On October 1, 2007, Florida's no-fault law came to an end. That means PIP (personal injury protection) insurance is no longer required. However, the legislature passed a bill reinstating the no-fault law as of January 1, 2008. What does this mean to you as a consumer?

1. In general, if you are or were in a car accident between October 1, 2007 and December 31, 2007, you must prove the other driver is at fault in order to collect insurance benefits for your injuries.
2. There is an exception to the rule. If both drivers have a PIP policy, then you can still claim on your own PIP as you

would have prior to October 1, 2007.

3. Should you cancel your PIP coverage during this transition? No. As stated in No. 2, if both drivers have PIP you can still be covered. So, keep your PIP coverage.
4. What happens if my policy is renewed during this transition time? It depends on your insurance carrier. Some will re-write the policy with PIP coverage. Others will not. Call your carrier to be sure.

For more information on PIP, visit Alex Sink's, Chief Financial Officer of Florida,

website:

www.myfloridacfo.com/NoFault/.

This site contains scenarios of what happens under an at-fault system, which is currently in effect. It also contains questions you should consider when looking at your policy.

If you are or were in an accident during this time, it is important that you speak with an attorney to discuss your rights. Please call our office for a free initial consultation.

If you want to speak with a qualified insurance agent that can help you determine if your policy adequately covers you during this time, please call our office for a referral.

THE FALLOUT OF THE FORECLOSURE

Foreclosures are everywhere. You hear it in the news, you see it on your street, you feel it at home. What happens when foreclosure affects your life?

Foreclosure is the process a lien holder uses to take back its security in your home. This can be anyone from a traditional mortgage company to your local homeowner's association for late fees to a second mortgage company.

A suit is filed with the court in the county where the home is located. A sale date is scheduled and the home is sold at auction to the highest bidder. Occasionally, the home is not sold and it is reset for sale.

However, most mortgage companies will purchase the home themselves at a deeply discounted price.

What happens to the difference of the loan amount and the amount the home sold? You are responsible for the difference. This is called a deficiency. The holder of the deficiency can then begin collection actions against you for the deficiency amount.

If you are unable to pay, a judgment will be entered against you. The judgment is filed in the county records and attaches to any real property that you purchase for a period of up to 20 years. This judgment lien then must be paid when you try to sell your real property in order to clear title for the new owner.

A foreclosure on your credit can drastically reduce your credit score. This will affect your future purchases on credit for

many years to come.

There are several options you can use to try to prevent a foreclosure.

- 1) Talk to your mortgage company. They may be willing to adjust your contract to keep you in the house.
- 2) Short Sale. This is where you sell the house quickly. It is very complicated and you should speak with an attorney or real estate professional before choosing the option.
- 3) Bankruptcy. There are two options. Chapter 7 allows you to give the house back. Chapter 13 may help you keep the house. An attorney can

help you make the decision on whether bankruptcy is right for you. Please call our office for a free initial consultation to determine if you qualify for bankruptcy.

Our firm can refer you to a qualified real estate professional to help you during your time of need.



BANKRUPTCY LAW COULD PREVENT YOU FROM FILING

In October 2005, the bankruptcy code was changed to help combat abuse of the system. The new change has several requirements debtors must fulfill in order to obtain a Chapter 7 discharge of their debts.

For example, prior to filing for bankruptcy a debtor needs to take a credit counseling course. This is important to be aware of because if you are

filing to stop a foreclosure or repossession, this course must be done at least the day prior to filing your bankruptcy. Please don't wait to the day before a foreclosure to speak to an attorney. It may be too late.

Also, prior to obtaining a discharge, the debtor must complete a finance course. It is important to speak to an attorney as soon as you believe you

may need their services. The attorney can discuss the requirements for obtaining a discharge in detail.

Certain assets are exempt from the court being able to seize them to pay for your debts.

If you are considering bankruptcy, please call our office for a free initial consultation.

“Please don't wait to the day before a foreclosure to speak to an attorney. It may be too late.”



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Your South Shore Attorney

Our firm is committed to providing personal, yet aggressive, representation for our clients throughout Tampa Bay.

Our firm provides services for:

Personal Injury
Auto Accident
Medical Malpractice
Bankruptcy
Will Preparation
Contract Disputes
Collection Matters
Business Incorporation/Registered Agent
Family Law
DUI Defense/Criminal Defense
General Practice

**A F R A I D Y O U R M E M O R Y I S G O I N G O R K N O W
S O M E O N E W H O M I G H T B E ?**

As we age, our memory can go. However, there are diseases that can increase our loss of memory such as Alzheimer's. The University of South Florida established a research clinic that is specially designed to research Alzheimer's and its affects on its victims. The Johnnie B. Byrd Sr., Alzheimer's Center and Research Institute was established in 2004 by former Speaker of the House, Johnnie Byrd after his father was stricken with the disease.

The clinic recommends that a baseline memory test be completed at age 50. This will help determine if your memory is failing later in life and to what degree. The test is designed to deter-

mine if you need further in depth testing.

The screening test only takes about 30 minutes and is done at the clinic. The screening includes questions about daily life and how well you care for yourself. A memory checklist asks questions about specific memory problems. additional screening tests check for attention and problem solving. And hands-on tests demonstrate the ability to recall and recreate.

For more information about the screening test and the Byrd Institute, log on to <http://www.byrdinstitute.org/> or call 813-866-1611.



The Byrd Institute and Research Clinic