

ABOUT FLORIDA'S 'HOMESTEAD' LAW



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able to creditors.

Article X, Section 4 of

Florida's "homestead" law provides protection for homeowners that most states do not offer. When property is "homesteaded," it is virtually un-

Florida's Constitution lays out the criteria for homestead protection. This protection prevents citizens from forced sale of their homes under process of any court. The only entities that can pierce the homestead protection of a property are: the government for failure to pay taxes; mortgagors due to failure to make mortgage payments; and contractors who have done work on the subject home, termed a

"mechanic's lien."

Just owning property in Florida is not enough to qualify for this protection. You must establish the property as your "domicile," meaning your main residence. To qualify property for homestead, a sworn statement must be filed with the circuit court of the county the person resides in, showing that the person lives in that county

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and that the person's intent is to maintain his or her permanent home there.

Homestead protection is different for land inside and outside a municipality. For rural land outside of a municipality, a landowner is provided protection for 160 contiguous acres. For land within a municipality, a landowner can only receive homestead protection for one-half acre of contiguous land to use as a residence for the owner or the owner's family.

Another advantage to filing for homestead is that Florida citizens receive a \$25,000 tax credit for qualifying property.

This is a good enough reason to file your property as homestead with the county if you have not done so already.

To protect yourself and your family from judgments or debt, it is in your best interests to make sure that the proper paperwork is filed with the county. If an owner of property pass-

es away, the homestead protection passes down to his or her spouse and/or children.

If your property qualifies and you have not filed for this status, contact the Broward County Property Appraiser's main office at the Broward County Governmental Center, 115 S. Andrews Ave., Room 111-F in Fort Lauderdale. The phone number is (954) 357-6830.

The Northwest Broward office is in Coral Springs, at 9881 W. Sample Road, and the phone number is (954) 341-3990.

For more information, the Broward County Property Appraiser's Web site is www.bcpa.net.

If you have any questions regarding homestead or have a topic you would like to see discussed in my next column, feel free to contact me at the e-mail address listed below.

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