

**SCENARIO #1:**

Sally Stevens and Steve Stevens are the owners of 123 Yas Lane, where they reside in the City of Winter Park. Sally lives there with her two kids and her soon-to-be ex-husband Steve. No one likes Steve because he recently moved in with his mistress, Veronica. Before they file divorce, Steve and Sally want to sell their home and distribute the proceeds evenly. The property sits on a .49-acre lot. Sally and Steve contact a real estate agent and list the home and find a Buyer who desires to purchase the property at list price. Before closing, The Closing Agent notifies Sally and Steve that, unfortunately, there is a credit card judgment against Steve which has attached to the property. Sally is nervous because she is worried that she will have to pay the judgment to sell the property.

**QUESTIONS:**

1. Are Sally and Steve able to sell their home?
2. Can Sally and Steve sell their home without paying off the judgment? If so, how? Are there multiple ways?
3. If Sally and Steve are able to sell their home without paying off the judgment, can Steve's creditor attack the proceeds of the sale?
- 4.

**SCENARIO #2:**

Kate and Dave, a married couple, have owned their stunning home in Windermere for 40 years. When they purchased the home, they financed \$200,000.00 from WikiLeaks Mortgage Co. with a standard 30-year fixed rate mortgage. Approximately 10 years into owning their home, they refinanced and took out a \$250,000.00 mortgage from TILA Bank. The mortgage from Wikileaks Mortgage Co. was paid in its entirety from the proceeds of the loan from TILA Bank. Now, 40 years since acquiring the home, Kate and Dave wish to sell it for \$1,000,000.00. The Title Commitment reveals that WikiLeaks Mortgage Co. never filed a satisfaction which terminated its mortgage in the public record. WikiLeaks Mortgage Co. has become defunct and no longer operates so there is no chance of obtaining a satisfaction.

**QUESTIONS:**

1. Are Kate and Dave able to sell their home?
2. Will Kate and Dave have to pay off the WikiLeaks Mortgage again since it was never satisfied in the public record?
3. How can a title agent or lawyer assist Kate in Dave?