

INSIGHTS & SOLUTIONS

Welcome to the spring 2017 issue of Ward Damon's quarterly e-newsletter. Since 1987, Ward Damon has represented savvy businesses, business owners and individuals on a full spectrum of legal needs.

LEGAL PERSPECTIVES

Real Estate Investing: Don't Believe These 3 Real Estate Investing Myths

By [Adam R. Seligman](#)

If you are thinking about purchasing a rental property make sure you are not making your decisions based on common, incorrect assumptions. With rising prices and historically low interest rates the real estate investor is back in full swing. However, buying a rental property and counting on it to pay for your retirement or provide you easy monthly passive income may not be a smart move.



Home vs. Investment

Arguably the most pervasive myth when it comes to investing in real estate is the belief that buying a home is a great investment. To be clear, buying multiple rental properties and relying on rental income from those properties can actually be a good investment. However, **purchasing your primary home and relying on it to fuel your retirement is rarely ever a good idea.** Your house isn't an investment, ATM or piggy bank. It is a place to live in. Do not forget that.

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What Can Happen When a Commercial Lease Defaults?

By Labeed Choudhry

Modern commercial leases can be dozens of pages long and contain a vast number of provisions spread over many paragraphs. Some of these provisions, such as those relating to the amount of rent and operations of the premises, are looked at and negotiated quite thoroughly by the parties. Most of the other provisions however are routinely ignored as dense legalese and the parties, especially the tenant, pay little attention to what they say.



One often overlooked provision relates to the acceleration of rent upon default in payment by the tenant. While language can vary according to the specifics of a lease, the general function of an acceleration provision is to allow the landlord to make a claim for the entire rent due under the remaining life of a lease if the tenant defaults during the middle of lease term rather than having to wait for rent as it comes due before making a claim for it. For example, if a tenant defaults after one year of a five-year lease where the rent was \$1,000 a month, the landlord can demand \$48,000 (the amount to be paid under the remaining term of the lease) immediately without having to demand an additional \$1,000 every month for the remainder of the lease term. While the accelerated rent is usually reduced to its present value, it can still be a hefty sum.

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Guide to Alimony Reform 2017

By [EddieStephens](#)

The Florida Legislation is attempting “Alimony Reform” for the third time. On Wednesday, January 18, 2017, Representative Burton filed HB 203 and on Friday, January 20, 2017, Senator Passidomo filed SB 412.

Governor Rick Scott vetoed similar efforts in 2014 and 2016, in part, because the bills contained a presumption or premise for equal timesharing, a hotly contested item that has nothing to do with alimony. So far... this year’s legislation has NO MENTION of timesharing...yet.



Of course politics is politics, and this is subject to change. Stephens’ Squibs will be keeping a close eye on these bills and will report any news as it develops. The last day of the Florida Legislature Session is May 5, 2017. It will probably be a bumpy ride.

Click here for all the details: www.EddieStephens.com/alimony-reform

FIRM UPDATES

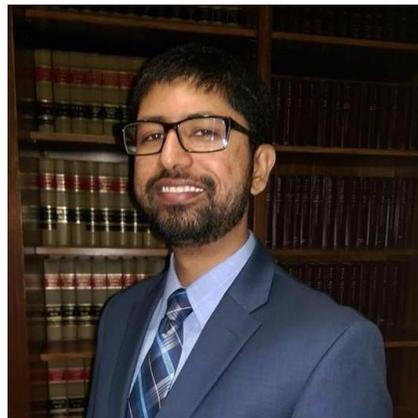
Ward Damon Expands Practice and Services

Ward Damon has expanded its practice with two new attorneys and a new service to their Marital and Family Law practice.

Sasha A. Klein joins the firm as a partner in the firm's Private Wealth group, expanding this area of practice that focuses on estate planning, tax planning and trust administration. Sasha is a national lecturer and holds various leadership roles in professional and community organizations. She earned her J.D. from Vanderbilt University Law School and holds a post graduate degree in Tax Law (LL.M) from the University of Florida Law School.



Labeed Choudhry joins the firm's Civil and Commercial Litigation practice representing a broad range of clients involved in complex disputes while focusing on client goals along with an expeditious and cost-effective resolution. Labeed enjoys traveling and mentoring youth groups. He earned both his undergraduate degree in Political Science and his J.D. with honors from the University of Florida.



Eddie Stephens, a partner who is board certified in marital and family law attorney, is now a trained collaborative attorney who will offer Collaborative Law at Ward Damon as an alternative to traditional adversarial divorce proceedings. A collaborative approach allows couples to dissolve their relationship through a process that distinctly emphasizes cooperation, respect, mutual outcomes,



transparency, and privacy. The value of privacy is foremost in collaborative law and it starts with a pledge not to go to court.

Firm Supports Country Music Songwriters Event

Ward Damon was proud to support the 2017 Songwriters In The Round event presented by Leadership Palm Beach County at the Harriet Himmel Theatre. Denise Bleau co-chaired the successful event that reconnects LPBC alumni during a unique and intimate evening with performances and storytelling by some of Nashville's top songwriters. Proceeds for the event underwrite the Leadership Grow Program, the youth leadership program for high school juniors, which is free for all participants. Eddie Stephens served as the volunteer photographer for the event. His fabulous photos can be seen at www.eddieland.net. A good time and a good cause!



Dane Leitner Co-Chairs Side Bar Series

Ward Damon attorney Dane Leitner co-chaired a continuing education lunch and learn program by the Young Lawyers Section of the Palm Beach County Bar Association. This sold-out "Side Bar Series" featured Jack Scarola presenting about jury selection and hosted multiple PBC judges. (Pictured L-R) Jennifer Lipinski (event co-chair), Jack Scarola, Dane Leitner (event co-chair) and Judge Meenu Sasser.



Sally Still Guest on Legal News And Review

Sally Still was a guest recently on the popular legal radio program Legal News

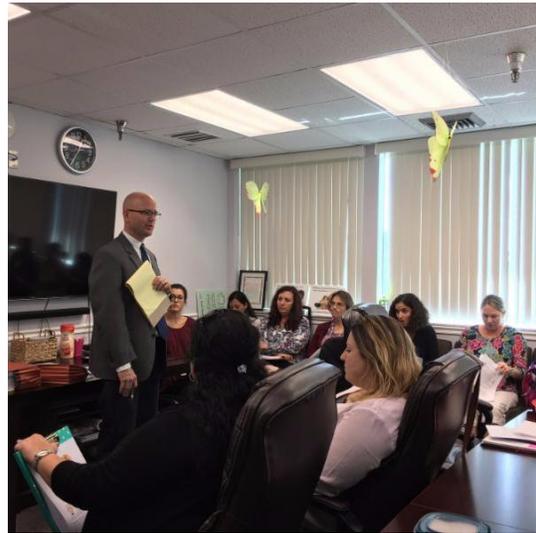
and Review. Sally discussed various topics including discrimination in the workplace, overtime pay and more. Sally Still is board certified in Labor & Employment Law.

To hear the full interview [click here](#).



Helping Mental Health Professionals in Court

Ward Damon Marital & Family Law attorneys Dane Leitner and Eddie Stephens gave a presentation recently at the [Center for Child Counseling, Inc.](#) They provided tips for mental health professionals involved in family law proceedings.
#DoingGood #MakingADifference



Ward Damon Participates in Scout Law Day

Ward Damon attorneys Denise Bleau, Eddie Stephens and Dane Leitner participated in the Palm Beach County Bar Association's Law Related Education Committee "Scout Law Day" where over 75 participants got to earn the Boy Scout Law Merit Badge and Girl Scout Junior or Cadette Legacy badge. Kids learn about civics and our legal system, learn from PBC judges and attorneys, and conduct a mock trial. We love supporting this wonderful education event!



Team Ward Damon Walks for the Animals

Thanks to everyone who participated in Team Ward Damon and Walked for the Animals! We had so much fun with our pooches and helped raise money for Peggy Adams Animal Rescue League. Funds provide services to more than 45,000 dogs, cats, puppies, and kittens every year including emergency care, spay & neuter services, food, bedding, vaccinations, behavior modification training, fostering, and microchip identification and more!



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