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OFFICES
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February 3, 2025

Via US Mail

Llhabi Bey
Labor Force C/O
821 Herndon Ave #14985
Orlando, FL 32814

Re: Request to Immediately Release the Construction Lien Incorrectly Naming the Sun 'N Lake of Sebring Improvement District as Owner of Property Located at 3900 MONZA DR., SEBRING, FL 33872

This office represents the Sun 'N Lake of Sebring Improvement District ("District") as its General Counsel. The District demands that you immediately record a release of lien to release the Mechanic's Lien bearing official file no. 2240021 ("Construction Lien") that your company, Labor Force, recorded against property located at 3900 MONZA DR SEBRING, FL 33872 ("Subject Property"). A copy of the Construction Lien is enclosed for your convenience.

First, the District does not have an ownership interest in the Subject Property. However, listing the District as an owner of the Subject Property may impact the District's title with respect to property that is actually owned by the District. On this basis alone, the District demands that you immediately release the Construction Lien with respect to the District.

Further, if the District did have some ownership interest in the Subject Property, Ch. 713, Florida Statutes, otherwise known as Florida's "Construction Lien Law", is the exclusive statutory authority concerning construction liens against real property where (as is the case here) the lienor (you) does not have an agreement directly with the owner of the real property (the District) for improvements and services furnished. The District is an Independent Special District organized and existing under the provisions of Ordinance No. 74-4, of the Board of County Commissioners of Highlands County, Florida. Put another way, the District is a local government. Importantly, the Construction Lien Law **does not** apply to property owned by a local government.

Section 713.01, Florida Statutes, defines several important terms for the purposes of interpreting the meaning of the Construction Lien Law. This includes terms such as "Owner" and "Real Property" as follows:

"(24) "Owner" means a person who is the owner of any legal or equitable interest in real property, which interest can be sold by legal process, and who enters into a contract for the improvement of the real property. The term includes a condominium association pursuant to chapter 718 as to improvements made to association property or common elements. **The term does not include any political subdivision, agency, or department of the state, a municipality, or other governmental entity.**

...

(27) "Real property" means the land that is improved and the improvements thereon, including fixtures, **except any such property owned by the state or any county, municipality, school board, or governmental agency, commission, or political subdivision."**

See Section 713.01, Florida Statutes (emphasis added).

Again, the District does not have an ownership interest in the Subject Property. However, to the extent the District does have an ownership interest in the Subject Property, your company had no legal right under the Construction Lien Law to record the Construction Lien against the Subject Property in this circumstance. Further, it would be highly inappropriate in either instance for you to fail to release the Construction Lien now that you are aware that (i) the District does not have an ownership interest in the Subject Property and (ii) to the extent the District does have some ownership interest in the Subject Property, the Construction Lien Law **does not** apply to property owned by the District.

Accordingly, the District requests that you record a release of lien to release the Construction Lien on or before **February 14, 2024**. **Failure to do so and notify my office by the above date may result in the District taking legal action to enforce its rights under the Construction Lien Law.**

Govern yourself accordingly.

Sincerely,


Garrett M. Olsen
General Counsel
Sun 'N Lake of Sebring Improvement District