

Law Offices



Lobeck & Hanson

P.A.



Your Association Attorneys

*Striving since 1987 to provide the most
competent, responsive and cost-effective
Condominium Association and HOA legal services in
Sarasota and Manatee Counties and beyond*

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The Law Offices of Lobeck & Hanson represents several hundred condominium, cooperative and community associations throughout southwest and west Florida. Although we offer a broad range of legal services, including wills and probate, personal injury and family law, our practice is concentrated primarily in the representation of condominium and homeowners associations. As such, we seek to serve such clients with maximum competence, responsiveness and cost-effectiveness.

The firm was recognized as a Finalist for Best Law Firm in a 2014 reader poll by the Sarasota Herald-Tribune.

Our philosophy is to seek to solve and prevent problems for our clients, rather than create them. We consider litigation and arbitration to be proper tools to obtain needed results, but seek also to provide advice and services which will avoid the need for such measures, where possible. We also seek to be direct and to the point, providing the information and recommendations which are needed without running up an excessive bill. We recognize also that it is the Board of Directors which directs the business of the association rather than its attorneys and that we are there to counsel as to options, opportunities and risks for the Board to consider.

The partners of Lobeck & Hanson consist of two attorneys with over 63 years of combined legal experience. Managing partner Dan Lobeck, the attorney who is the primary counselor to our association clients, provides services such as advice by telephone and correspondence, document amendments, contracts and other general assistance. He also assists our clients in matters of land use law. Partner Mark Hanson primarily supervises the firm's litigation and arbitration cases as

well as representation of most of our non-association clients. The firm also includes three very capable associate attorneys, Michelle A. Stellaci, D.J. Fredericks and Leah E. Ellington, who work with Dan and Mark in meeting our clients' legal needs.

For over 36 years, **Dan Lobeck's** legal practice has been devoted to representing condominium and homeowners associations and similar clients. Prior to that, he



was on the staff of the Bureau of Condominiums in Tallahassee, where he had primary responsibility for proposing and drafting new rules and statutes. He has been active with various statewide organizations which seek to influence condominium and HOA law, including service for two years as state legislative chairman of Community Associations Institute.

During the time Dan was with the state and in private practice, he has been responsible for preparing many of the amendments to the Condominium Act and rules of the Bureau of Condominiums which were adopted during that time (while opposing others which he believes impose undue burdens). He has also lectured extensively on topics of association law and co-authored a Florida Bar condominium law textbook for attorneys.

Dan Lobeck was selected among all attorneys in Southwest Florida by the National Business Institute to present continuing education seminars on association law to attorneys in the region, each year from 2004 through 2008. He also lectured at the University of Miami Institute of Cluster Housing seminar for attorneys. Dan also maintains contacts in government and in September, 2016 was named by Sarasota Magazine, in an article identifying "Power Players" and "Who Runs This Town?" as one of the 25 most influential people in Sarasota.

Also, over the past 27 years Dan has developed land use law as a significant part of the firm's practice, concerning such matters as rezonings, site plans, special exceptions and comprehensive plan amendments. We assist associations and individuals in seeking to influence or challenge land use changes as well as developers who seek responsible revisions.

Mark Hanson is also a very experienced attorney, with over 32 years in private practice, primarily in litigation. He also has experience in administrative law and



appellate practice and has handled numerous arbitration cases before the Bureau of Condominiums. In addition to handling the firm's condominium and cooperative arbitration cases and litigation in such matters as rules enforcement, assessment lien foreclosures and construction defect claims, Mark represents the firm's non-association clients in a broad range of legal needs. His services for the firm include representation in areas such as civil litigation, construction, condominium and HOA disputes and personal injury. Mark is also certified by the Florida Supreme Court as a mediator.

Michelle Stellaci joined our practice as an attorney in 2007 after clerking for the law firm during her studies at Stetson University College of Law. While at Stetson



University College of Law, Michelle was in the Honors Program, and was a Federal Judicial Intern for the Honorable Elizabeth A. Kovachevich, United States District Court Judge during the Fall of 2006. Prior to Michelle's studies at Stetson, Michelle was a member of the moot court team for a New York law school where she was named best individual in a competition. Additionally, Michelle has extensive experience as a paralegal, a marketing manager, and is a published writer. Michelle provides various services to our Association clients, including enforcement of rules and restrictions by correspondence, litigation and arbitration, and also provides services to individuals in family law and other matters.

D.J. Fredericks joined our practice as an attorney in 2010 after clerking for the law firm during his studies at Stetson University College of Law. D.J. graduated



from Stetson University College of Law in 2010 where he had a special interest in Probate and Estate Law. Prior to joining the firm as a law clerk in 2009, D.J. was a teacher at Admiral Farragut Academy in St. Petersburg, Florida, where he taught multiple subjects. He has also published writings on the National Clearing House for Science and Technology and the Law website. D.J. handles lien foreclosures, real property and construction litigation and assists our client in other matters including wills, probate and estates.

Leah Ellington joined our firm in 2013 after service with another law practice.



She earned her Juris Doctorate from Stetson University College of Law, where she was a student editor for the Journal of International Wildlife Law and Policy and was active in several campus organizations. Leah was the recipient of the Hearne Environmental Law Award, the William F. Blews Pro Bono Service Award, an Equal Justice Works Summer Stipend and the inaugural Public Interest Summer Fellowship from the Florida Bar Environmental and Land Use Law Section. Leah was also a Biodiversity Fellow while in law school, completing projects concerning international law, treaties and conventions. Prior

to that time, Leah worked for the Clean Water Network of Florida, a statewide environmental organization. Leah Ellington works with Dan Lobeck in providing various services to our Association clients.

In 1987, Dan Lobeck began the firm, after four years as a partner and three years as an associate with another firm. Mark Hanson joined the firm at the beginning of 1994 and became a partner in 1995. Together with Michelle Stellaci, D.J. Fredericks, Leah Ellington, and our extensive, experienced and capable support staff, we offer a team approach to serving your legal needs.

Lobeck & Hanson has been awarded a “BV” rating by the national Martindale-Hubbell Law Directory, which is a “high to very high” rating in legal ability and a “very high” rating in professional standards of conduct and ethics.

There is no retainer fee, and attorney’s services are billed monthly as incurred, at the rate of \$285 per hour for each of our attorneys, even the partners. We have a law firm ethic not to pad our bills or churn litigation, believing that a conservative and fair billing practice is essential to honest dealings with our clients.



The firm offers a flat fee of \$5,000 for the first draft of an Amended and Restated Declaration, Articles of Incorporation and Bylaws. For assessment collections, our notice of intent to lien is typically \$228 and then the same charge for a lien and notice of intent to foreclose, together with associated correspondence with the Association and Clerk of Court.

We Are Ready To Serve



The Law Offices of Lobeck and Hanson does our best to provide responsive, timely, competent and cost-effective legal services.

Here are just a few of the ways in which we can be of service to your Association:

Assessment Collections - Regular and special assessments are the lifeblood of the Association. A diligent practice of requiring owners to pay on time and in full is important to maintain the Association's finances. Our fees for collections include \$228 for the "intent to lien" letter and again for the "intent to foreclose" letter. Those fees include communications with the Association and Clerk of Court. We also provide a letter warning of a "last chance to avoid severe consequences" including loss of personal assets as well as foreclosure. We seek to resolve all costs and attorney's fees from the unit owner in our collection letters and in any following litigation that the Association authorizes.

Mortgage Foreclosures - If the Association is served as a defendant in a mortgage foreclosure, there is one big reason to have your attorneys file an answer. That is to avoid a default so you can move the mortgage foreclosure forward to conclusion if it is delayed, to get a "paying customer" into title to the unit. We have a flat fee of \$550 to file an answer, monitor pleadings and do certain other things to protect the Association's interests (plus a small addition in jurisdictions that require a Notice for trial) . We are also available to provide and serve a motion to compel and court hearing to move the case forward if it stalls.

Document Revisions - Whether it is an individual amendment, a few or a complete rewrite, it is important to keep your governing documents up to date and in conformance with your owners' vision of their community. We charge a flat fee of \$5,000 for a draft of an Amended and Restated Declaration, Articles of Incorporation and Bylaws, to bring them up to date to reflect changes in the law, delete any obsolete developer references, add creative solutions, remove ambiguities and redundancies, improve clarity and address other issues. Modern and improved documents are more useable for the Association and its owners and put the best face forward for your community.

The Law Offices of Lobeck & Hanson
Is Pleased To Offer Our



***Instant Real-Time Access To All of Your
Association's Collection Accounts With the Firm***

We at The Law Offices of Lobeck & Hanson strive to remain on the cutting edge in seeking to provide quick, competent and cost-effective collection services to our Association clients.

We are therefore pleased to offer a service by which Association representatives can log onto our Web site at www.lobeckhanson.com and get access to constantly updated reports on all collection, lien foreclosure, bankruptcy and mortgage accounts of the Association being handled by the firm.

We hope this service makes the challenge of efficient assessment collections a little easier.

**Get Your Password
and Instructions
Today By Email
To
debbiec@lobeckhanson.com**



Law Offices
Lobeck & Hanson

P.A.

**A Full Service Law Firm With an Emphasis on Representing
Condominium and Homeowners Associations**



Dan Lobeck



Mark Hanson



Michelle Stellaci



D.J. Fredericks



Leah Ellington

**Assessment Collections Document Revisions
Rules Enforcement Contracts
Construction Defect Claims Association Meetings
Neighborhood Protection Legal Advice**

*See us also for assistance in Estates, Land Use Law, Personal Injury Claims,
Family Law and other Personal and Business Needs*

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Check Out Our Website at www.lobeckhanson.com**

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