

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA

IN RE:

SHAWN EVANS MARTIN

CASE NO: 26-12628-CAP

Chapter 7

DEBTOR

**EXPEDITED MOTION FOR ENTRY ON
PREMISES FOR PURPOSES OF INSPECTION ONLY AND FOR EXPEDITED
HEARING ON AUGUST 18, 2026 WHEN DEBTOR'S HEARING IS SET**

COMES NOW, Movant, OMEGA VILLAS CONDOMINIUM ASSOCIATION, INC.,
its successors and/or assigns, by and through undersigned counsel and shows the Court:

1. Movant is a secured creditor of the above styled Debtor and brings this Motion pursuant to the provisions of the Bankruptcy Code to protect the asset for the creditors and pursuant to F.S. 718.116 to protect the asset while in foreclosure.
2. The Debtor did not claim as exempt real property in Broward County, Florida, described as and just recently is now claiming as exempt the following real property:

Legal: Condominium Unit 10-48, of OMEGA VILLAS II, a Condominium, according to the Declaration of Condominium thereof, as recorded in Official Records Book 7977 at Page 141, of the Public Records of Broward County, Florida, together with exhibits and amendments and an undivided interest in the common elements thereto.

Common 1760 NW 73rd Ave #48, Plantation, Florida 33313
BCPA: 4941 34 CB 0170

3. This Court granted the Movant's Stay Relief in April and the Association proceeded with their In Rem Foreclosure of the Debtor's property since that time. At present, Debtor has been evading service of process of the foreclosure complaint.
4. The process server advised that when he came to the Debtors property to serve the Complaint that there is a foul smell emanating from the door.
5. As a result, the Association is respectfully requesting an expedited inspection of the premises in order to determine whether there are any health or safety concerns for the

community. The Declaration requires that the Debtor maintain the property. If an awful smell is emanating from the front door, then there is a reason to believe that the Debtor is not maintaining the property and the Foul Order coming from the unit will require action on behalf of the Association to preserve the unit pursuant to F.S. 718.116.

6. The Debtor is now moving to lift the stay and remain in the home and if the foul order continues to exist, the Debtor is violating the Declaration as well as precluding the Association from being able to complete their required State Certification process.
7. The Debtors actions will not only ruin the only real asset in this estate and violating the Declaration, but he is also subjecting the membership to potential health and safety concerns and daily fines by the City for failing to complete the certification process on time.
8. As a result of Debtor's action, in the instant bankruptcy case, and evading service in the State Court case and failing to maintain the unit as required by the Declaration, Movant has been unable to move forward with their foreclosure proceedings, while Debtor is destroying the asset and the City is fining the Association daily.
9. Debtor failed to claimed the property as exempt and now wants to claim the property as exempt while allowing a foul smell to permeate the unit.
10. Movant respectfully requests the Court to allow an expedited hearing for August 18, 2026 when Debtor's Emergency Hearing an expedited inspection of the property due to the foul smell emanating from the Debtors home which causes Movant concerns about the health and safety of the residents and violations of the Declaration that the asset is being destroyed while the Debtor evades service of process.

WHEREFORE, Movant, OMEGA VILLAS CONDOMINIUM ASSOCIATION, INC. its successors and/or assigns, moves this Court to enter its Order granting relief for an expedited

hearing to allow an expedited inspection of the Debtors property and granting such other relief as to the Court may deem just and proper.

Respectfully Submitted,

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