



FLORIDA

REAL ESTATE LEGAL GUIDE

KNOW YOUR RIGHTS. PROTECT YOUR INVESTMENT.



UNDERSTAND
THE PROCESS



AVOID COSTLY
MISTAKES



PROTECT YOUR
FUTURE



DAVID DOWELL
REAL ESTATE BROKER & ATTORNEY

Securing Your Future: The Essential Legal Guide to Florida Real Estate

What every buyer and seller in Orlando needs to know — before they sign anything.



The Hidden Reality of Florida Property

Florida real estate is far more complex than most buyers and sellers expect. Zoning restrictions, environmental regulations, and title laws create layers of risk that a standard contract simply cannot address.

Complex by Nature

Florida's unique legal landscape — from wetlands rules to homestead protections — sets it apart from every other state.

"Standard" Hides Risk

A form contract may look routine, but boilerplate language often favors the other party — or leaves critical gaps unaddressed.

Outdated Assumptions Are Dangerous

Most people buy or sell a home only a few times in their life. Relying on memory or generic advice is a costly mistake.

The Power of the Purchase Contract



Your Contract Should Work For You

Florida's FAR/BAR contract is widely used — but its terms are negotiable, and the defaults don't always favor you. Miss a deadline for financing, inspection, or disclosure and you risk forfeiting your earnest money deposit entirely.

- ❏ An attorney reviews every clause to ensure the fine print serves **your** interests — not the other party's convenience.

Title Defects: The Hidden Claimants

A title search can reveal unpaid taxes, contractor liens, unreleased mortgages, and ownership disputes — problems that follow the property, not the seller. You need more than a clean report; you need a strategy.

1

Search

Uncover liens, judgments, and competing claims buried in public records

2

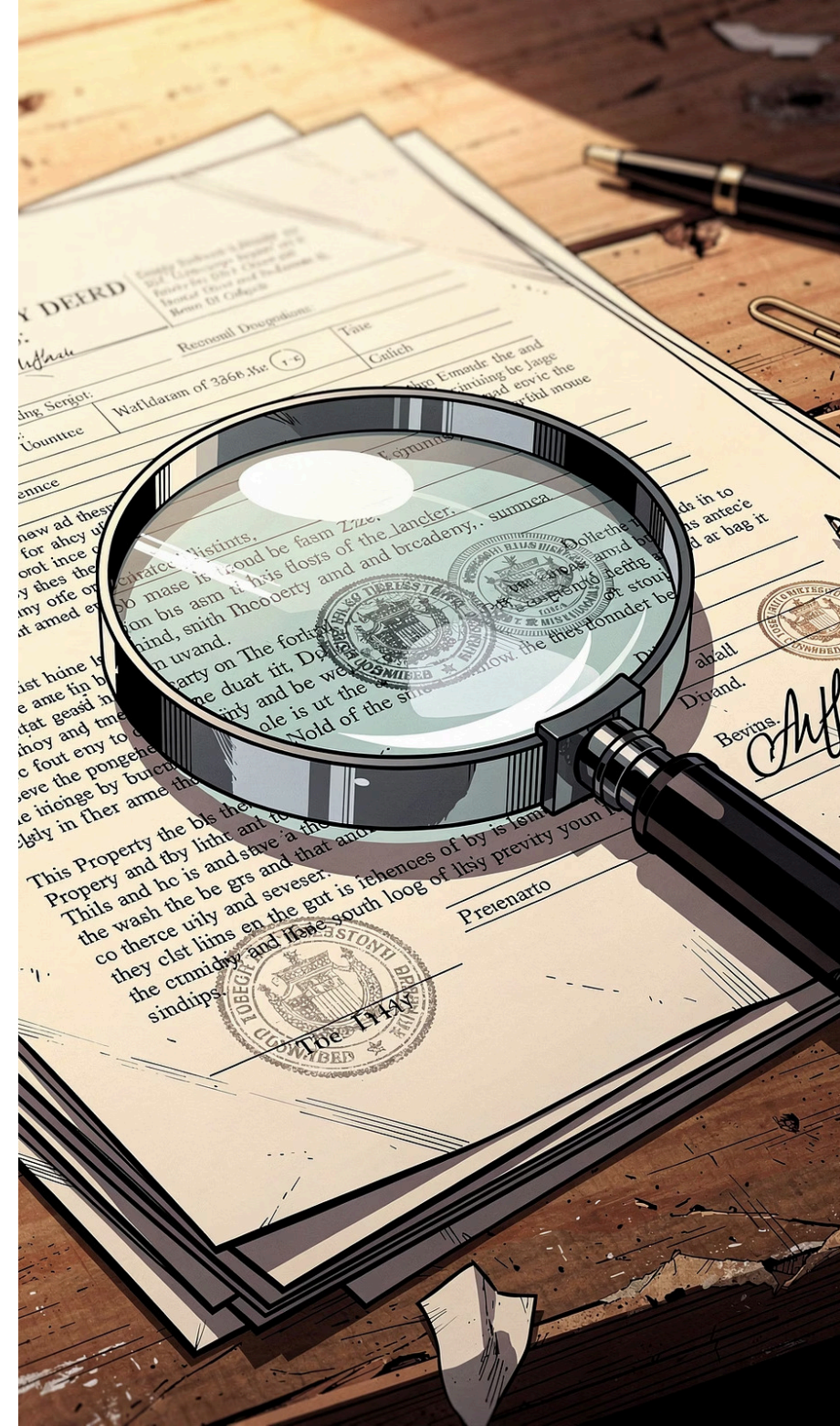
Analyze

Assess the legal risk of each defect and its impact on your transaction

3

Cure

Negotiate settlements, release liens, or pursue quiet title actions to clear ownership

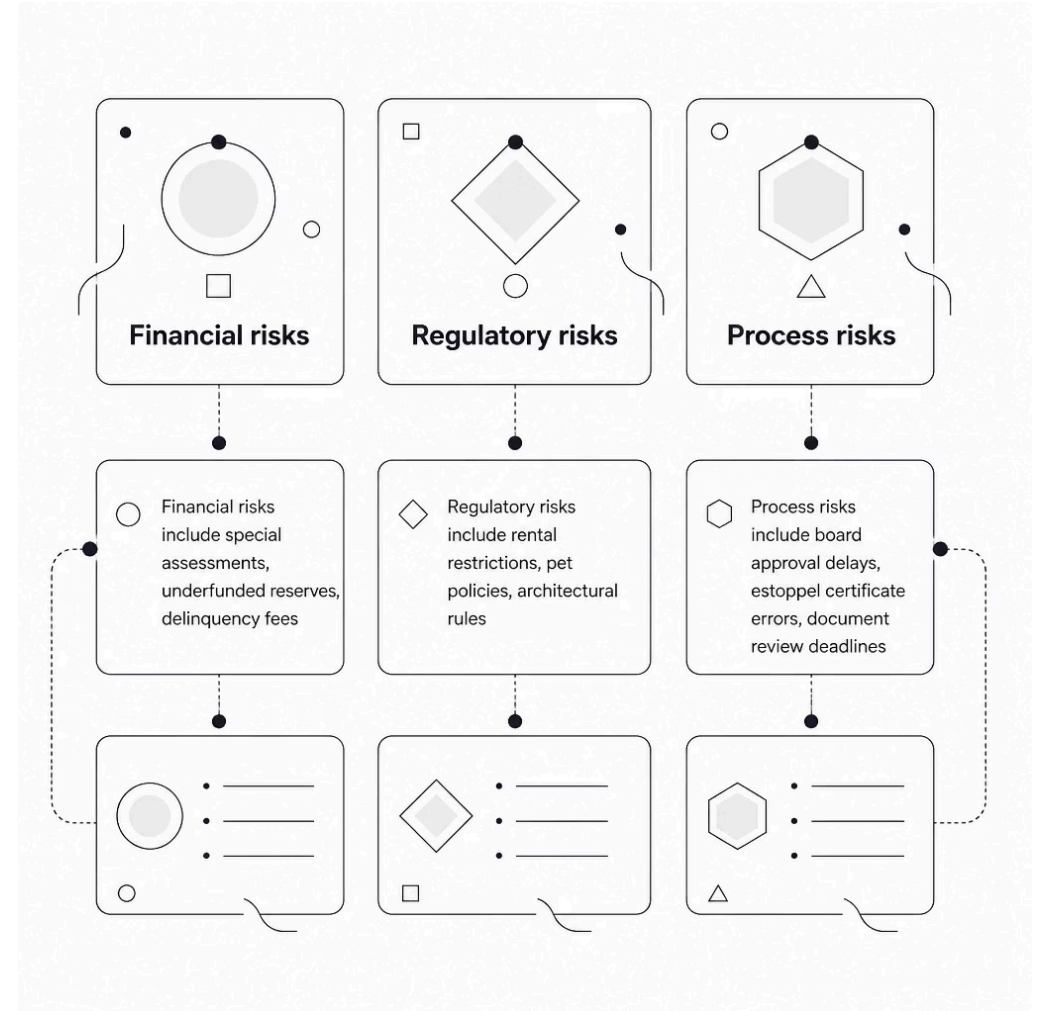


Navigating Florida's Condo & HOA Web

More Than Rules — It's a Legal Obligation

Florida's association-heavy market means buyers inherit a complex web of bylaws, assessments, and restrictions. A pending special assessment alone can cost tens of thousands after closing.

- Hidden financial assessments not yet levied
- Restrictions on rentals, pets, or renovations
- Lengthy approval delays that kill deal timelines
- Reserve fund deficiencies that signal future costs



Protecting the Seller: The Duty of Disclosure

Florida law — established by *Johnson v. Davis* — requires sellers to disclose all known material defects that affect the property's value or desirability. Silence is not protection; it is liability.

What Must Be Disclosed

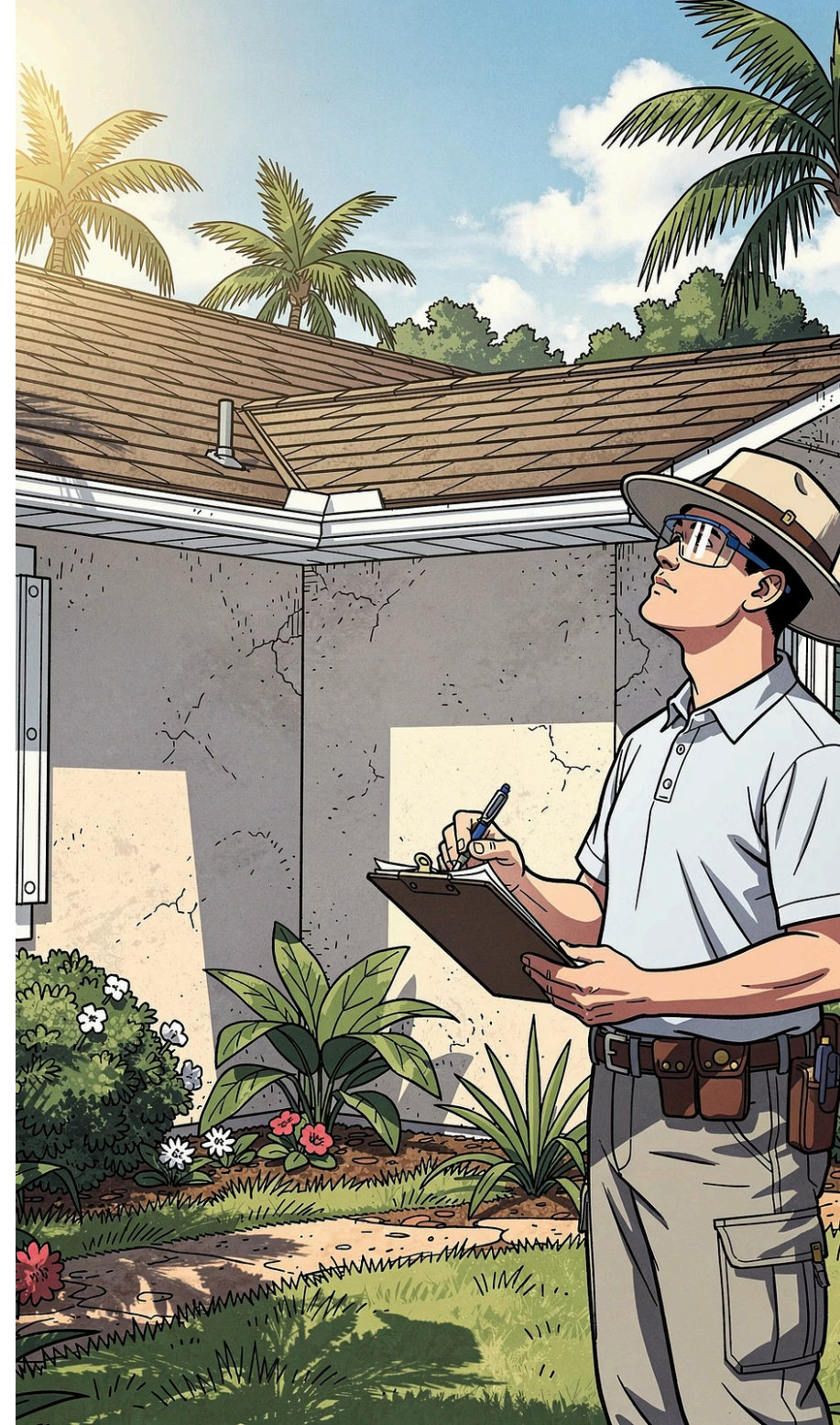
Roof issues, plumbing defects, flood history, mold, foundation problems, and more — if you know it, you must disclose it.

The Cost of Silence

Post-closing lawsuits are expensive, time-consuming, and often winnable by the buyer. The exposure doesn't end at the closing table.

Legal Compliance

An attorney crafts disclosures that are precise, complete, and legally defensible — protecting you long after the sale.



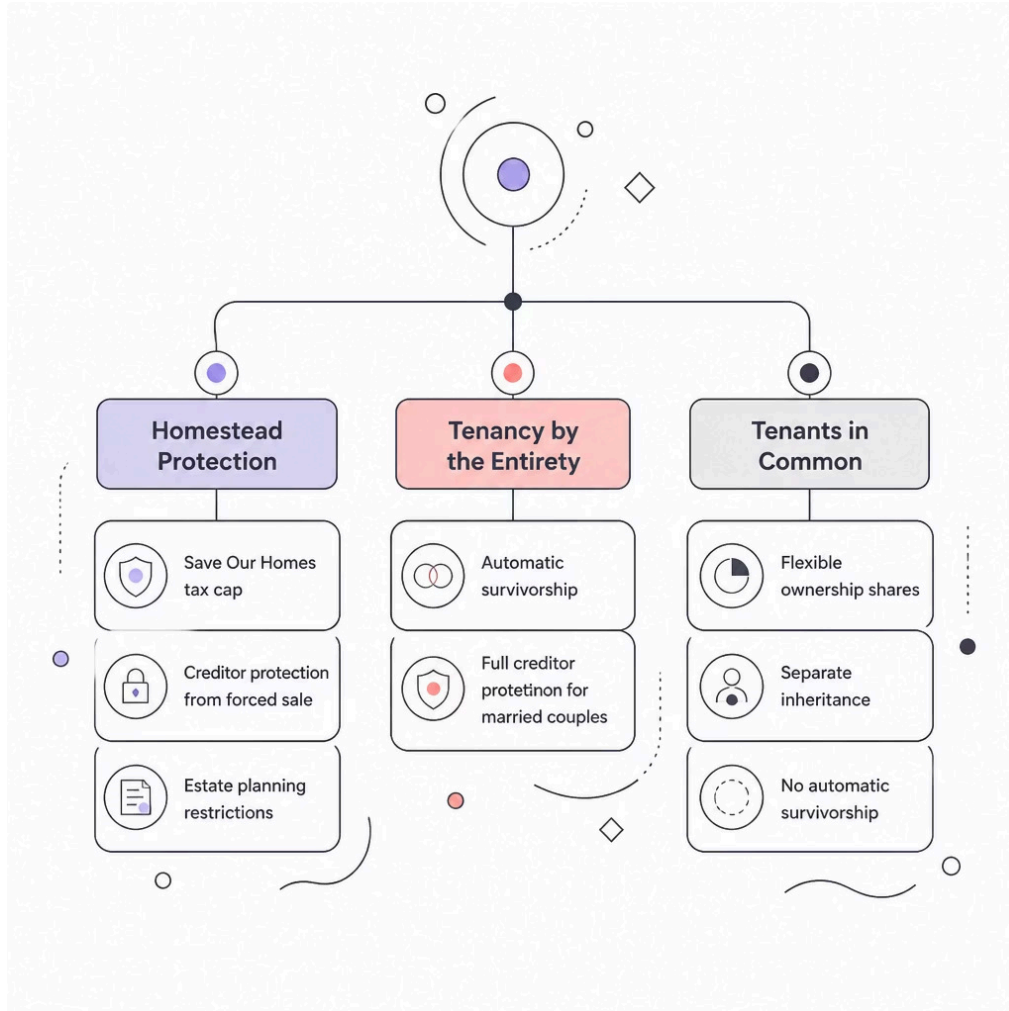
The Homestead & Ownership Shield

Structure Your Ownership Wisely

Florida's homestead law is among the most powerful in the nation — offering tax savings and creditor protection for your primary residence. But how you hold title changes everything.

- **Tenancy by the Entirety** shields married couples from individual creditors
- **Tenants in Common** allows flexible shares but lacks automatic survivorship
- Incorrect structuring can unravel your estate plan entirely

□ Proper legal structuring protects your asset and keeps your estate plan airtight.





The Attorney-Realtor Advantage

When your agent *is* your attorney, you gain something most buyers and sellers never have: real-time legal protection at every step of the transaction.



Dual Expertise

Market knowledge and legal acumen working together — no handoffs, no communication gaps.



Real-Time Advice

Legal counsel exactly when you need it — as offers are made, not days later after a referral.



One Point of Contact

Consistent strategy from the first showing to the final signature — always aligned with your goals.

Avoiding the Penny-Wise Trap

The True Cost of Skipping Legal Counsel

Many buyers and sellers choose to skip an attorney to save a few hundred dollars — only to face lawsuits, rescinded deals, or title clouds that cost far more to resolve.

Attorney-assisted closings in Florida are often priced **competitively with standard title company services** — meaning the protection costs little to nothing extra.

- ❏ Your home is likely your largest financial asset. Only an attorney is legally bound solely to **your** interests.

What's Really at Stake

- Forfeited earnest money deposits
- Post-closing disclosure lawsuits
- Title defects that delay or void the sale
- HOA liability discovered after closing
- Ownership structuring that breaks estate plans



Your Partner in Every Closing

Real estate is the foundation of your financial legacy in Orlando. Don't leave it to chance, generic forms, or advisors whose interests aren't fully aligned with yours.

Buy with Confidence

Every contract reviewed, every title cleared, every deadline protected.

Sell with Protection

Disclosures done right, liability minimized, and your proceeds secured.

Legal at Every Step

From offer to closing, you have an attorney — not just an agent — in your corner.

Meet David Dowell

Realtor & Real Estate Attorney — Orlando, Florida



David Dowell brings a rare combination of real estate market expertise and full legal representation to every transaction in the Orlando area. Whether you are buying your first home or selling an investment property, David ensures every step is legally sound and strategically sound.

 Phone

[\(407\) 801-1614](tel:(407)801-1614)

 Email

ddowell500@gmail.com

 Website

www.yourorlandorealty.com

 YouTube

youtube.com/daviddowellrealestate