

IN THE CIRCUIT COURT OF THE 15th
JUDICIAL CIRCUIT IN AND FOR
PALM BEACH COUNTY, FLORIDA

PANACHE AT BOCA POINTE
CONDOMINIUM ASSOCIATION, INC.,

Plaintiff,

CASE NO:

v.

ROBERT A. LEHANE AND
CINDY SCHAEFFER AND
WELLS FARGO BANK, NATIONAL
ASSOCIATION, SUCCESSOR BY
MERGER WITH WACHOVIA BANK,
NATIONAL ASSOCIATION AND
UNITED STATES SMALL
BUSINESS ADMINISTRATION AND
UNKNOWN PARTY OR PARTIES
IN POSSESSION,

Defendants.

COMPLAINT

The Plaintiff indicated in the style above, PANACHE AT BOCA POINTE CONDOMINIUM ASSOCIATION, INC. hereafter referred to as "Association", sues the Defendants, ROBERT A. LEHANE AND CINDY SCHAEFFER hereafter referred to as "Owner" and WELLS FARGO BANK, NATIONAL ASSOCIATION, SUCCESSOR BY MERGER WITH WACHOVIA BANK, NATIONAL ASSOCIATION and UNITED STATES SMALL BUSINESS ADMINISTRATION and UNKNOWN PARTY OR PARTIES IN POSSESSION and states:

COUNT ONE

1. This is an action to foreclose a Claim of Lien for condominium assessments in accordance with section 718.116 Fla. Stat.

PANACHE AT BOCA POINTE CONDOMINIUM ASSOCIATION, INC.
V. ROBERT A. LEHANE AND CINDY SCHAEFFER AND WELLS FARGO BANK, NATIONAL ASSOCIATION,
SUCCESSOR BY MERGER WITH WACHOVIA BANK, NATIONAL ASSOCIATION AND UNITED STATES SMALL
BUSINESS ADMINISTRATION AND UNKNOWN PARTY OR PARTIES IN POSSESSION
COMPLAINT

2. Association is a condominium association and a Florida corporation, not-for-profit operating pursuant to Chapter 718, Fla. Stat. in the County where this action is filed.

3. Owner is the fee simple owner of the real property described on the claim of lien attached to this complaint and identified as Exhibit "A".

4. Owner is a member of Association.

5. Association may levy and collect assessments for common expenses against condominium parcels as provided in Chapter 718 Fla. Stat. Association has made assessments for common expenses against the unit owned by Owner.

6. Owner has failed to pay the assessments due on a timely basis as they became due and payable.

7. Association has recorded a claim of lien against Owner's unit as a result of the failure to pay the amounts owed. The lien is recorded in the Public Records of the county where the parcel is located. The claim of lien is attached hereto as Exhibit "A" to this complaint.

8. The assessments levied against Owner's unit are delinquent and Association is entitled to foreclose the claim of lien which, pursuant to sec. 718.116, Fla. Stat. provides that the claim of Lien secures all unpaid assessments, interest, costs, and attorney fees which are due and which accrue subsequent to the recording of the claim of lien and prior to the entry of a judgment of foreclosure.

9. In addition to its rights pursuant to Chapter 718, Association is authorized to pursue foreclosure of its claim of lien based upon its Declaration of Condominium which is

PANACHE AT BOCA POINTE CONDOMINIUM ASSOCIATION, INC.
V. ROBERT A. LEHANE AND CINDY SCHAEFFER AND WELLS FARGO BANK, NATIONAL ASSOCIATION,
SUCCESSOR BY MERGER WITH WACHOVIA BANK, NATIONAL ASSOCIATION AND UNITED STATES SMALL
BUSINESS ADMINISTRATION AND UNKNOWN PARTY OR PARTIES IN POSSESSION
COMPLAINT

recorded in the Public Records of the county where the unit is located. Association is entitled to collect administrative late charges pursuant to its Declaration.

10. Defendant, WELLS FARGO BANK, NATIONAL ASSOCIATION, SUCCESSOR BY MERGER WITH WACHOVIA BANK, NATIONAL ASSOCIATION, may claim an interest in the subject property by virtue of that Mortgage recorded on May 18, 2004 in OR Book 16975 at page 0775 of the Public Records of Palm Beach County, Florida. Plaintiff Association's lien relates back prior to the Mortgage held by Defendant, WELLS FARGO BANK, NATIONAL ASSOCIATION, SUCCESSOR BY MERGER WITH WACHOVIA BANK, NATIONAL ASSOCIATION, and such mortgage is subordinate and inferior to the interest of the Association as described herein.

11. Defendant, UNITED STATES SMALL BUSINESS ADMINISTRATION, may claim an interest in the subject property by virtue of that Mortgage recorded on August 10, 2006 in OR Book 20717 at page 1814 of the Public Records of Palm Beach County, Florida. Plaintiff Association's lien relates back prior to the Mortgage held by Defendant, UNITED STATES SMALL BUSINESS ADMINISTRATION, and such mortgage is subordinate and inferior to the interest of the Association as described herein.

12. Defendant, UNKNOWN PARTY OR PARTIES IN POSSESSION, may claim some right, title or interest in the property that is the subject of this dispute. Any such right, title or interest is inferior and subordinate to the interest of Plaintiff Association as described herein.

13. Association has complied with all conditions precedent to filing this foreclosure action.

PANACHE AT BOCA POINTE CONDOMINIUM ASSOCIATION, INC.
V. ROBERT A. LEHANE AND CINDY SCHAEFFER AND WELLS FARGO BANK, NATIONAL ASSOCIATION,
SUCCESSOR BY MERGER WITH WACHOVIA BANK, NATIONAL ASSOCIATION AND UNITED STATES SMALL
BUSINESS ADMINISTRATION AND UNKNOWN PARTY OR PARTIES IN POSSESSION
COMPLAINT

14. Association has engaged the undersigned counsel and has agreed to pay a reasonable fee for his services.

WHEREFORE, Association demands the following relief and requests the court determine:

- A. That this court has jurisdiction of this cause and of the parties;
- B. The amount of money, including interest, expenses, late charges, attorney's fees and costs Association is entitled to recover;
- C. That Association has a valid lien upon the real property of Owner as described in this Complaint for the sums due Association superior in right, title and interest to Owner and all other Defendants to this cause;
- D. That said lien be foreclosed in accordance with Chapter 718, Fla. Stat. and the established rules of procedure of the Court, that, upon default of Owner to pay the amounts found due the Association, that said real property be sold by the Clerk of Court to satisfy Association's lien consistent with Chapter 718, Fla. Stat and that a deficiency judgment be entered against Owner for the amount remaining unpaid;
- E. That the judgment of foreclosure incorporate an order dispossessing Owner or other occupants and requiring that the purchaser at the Clerk's sale, his representatives or assigns, be let into possession of the property; and
- F. Award such other relief as may be just and proper.

COUNT TWO

15. This is an action for damages against Owner to recover delinquent condominium

PANACHE AT BOCA POINTE CONDOMINIUM ASSOCIATION, INC.
V. ROBERT A. LEHANE AND CINDY SCHAEFFER AND WELLS FARGO BANK, NATIONAL ASSOCIATION,
SUCCESSOR BY MERGER WITH WACHOVIA BANK, NATIONAL ASSOCIATION AND UNITED STATES SMALL
BUSINESS ADMINISTRATION AND UNKNOWN PARTY OR PARTIES IN POSSESSION
COMPLAINT

assessments, expenses, costs, late charges, if any, and attorney fees due Association.

16. Association realleges the allegations contained in paragraphs 1 through 6 inclusive and paragraph 15 as if all fully set forth herein.

17. Pursuant to Chapter 718 Fla. Stat., Association is entitled to recover all unpaid condominium assessments, interest, costs, expenses, late charges, if any, and reasonable attorneys fees incident to the collection of the amounts due. Association is entitled to a judgment for damages without waiving its lien rights.

18. Owner has failed to pay the amounts due the Association and the Association is entitled to a judgment for all amounts due.

WHEREFORE, Association demands the following relief and requests the court determine:

- A. The amount of assessments, late charges and interest Association is entitled to recover;
- B. The amount of attorneys fees, costs, and expenses incident to the collection of the assessments Association is entitled to recover; and
- C. Enter a judgment in the amount determined due against Owner in addition to any other relief this court may deem just and proper.

PANACHE AT BOCA POINTE CONDOMINIUM ASSOCIATION, INC.
V. ROBERT A. LEHANE AND CINDY SCHAEFFER AND WELLS FARGO BANK, NATIONAL ASSOCIATION,
SUCCESSOR BY MERGER WITH WACHOVIA BANK, NATIONAL ASSOCIATION AND UNITED STATES SMALL
BUSINESS ADMINISTRATION AND UNKNOWN PARTY OR PARTIES IN POSSESSION
COMPLAINT

Dated this 20th day of January, 2026.

Poliakoff Backer, LLP
Counsel for Plaintiff Association
2424 N. Federal Highway, Suite 462
Boca Raton, FL 33431
(561) 361-8535
(561) 361-3491 Fax
Primary: alewis@pbattorneys.com
Secondary: ahenriksen@pbattorneys.com

By: _____
Arthur E. Lewis
FBN 161667

NOT A CERTIFIED COPY

This instrument prepared by and to be returned to:
Keith F. Backer (Grayson Yellin)
Poliakoff Backer, LLP
2424 N. Federal Highway, Suite 462
Boca Raton, FL 33431
(561) 361-8535

CLAIM OF LIEN FOR ASSESSMENTS

STATE OF FLORIDA)
 : ss
COUNTY OF PALM BEACH)

This instrument was acknowledged before me this 4 day of November, 2025 by Keith F. Backer, agent of Panache at Boca Pointe Condominium Association, Inc., a Florida corporation, on behalf of the corporation. He is personally known to me and has taken an oath that he occupies the office set forth above of the referenced association whose post office address is 13727 SW 152 Street PMB 2972, Miami, FL 33177 and that pursuant to the Declaration of Condominium binding the subject property, the corporation is owed the following amounts for assessments:

The amounts due the association are as follows:

Remaining Balance of July 1, 2025 Monthly Assessment:	\$50.00
August 1, 2025 through November 1, 2025 Monthly Assessments: (4@\$450.00)	\$1,800.00
July 15, 2025 through October 15, 2025 Monthly Special Assessments: (4@\$100.00)	\$400.00
Certified Mail Charges:	\$25.42
Other Costs:	\$44.70
Attorney Fee:	\$1,012.50
Total Payments:	(\$1,350.00)
TOTAL CLAIMED OUTSTANDING as of October 30, 2025:	\$1,982.62

This claim of lien shall also secure all unpaid assessments, interest, costs and attorney's fees which are due and which may accrue subsequent to the date of this Claim of Lien and up to entry of a final judgment of foreclosure.

The lienor corporation claims this lien on the following described real property:
Condominium Unit 65, Phase 19, of PANACHE AT BOCA POINTE, a condominium, according to the Declaration of Condominium thereof, as recorded in Official Record Book 7442, Page 1003 as amended to add our Phase in Official Record Book 8064, Page 1193, all of the Public Records of Palm Beach County, Florida; together with all appurtenances and all amendments thereto; together with an undivided interest in the common elements as set forth in the Declaration of Condominium.

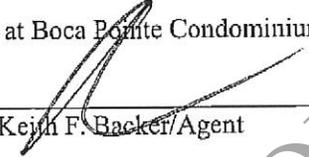
The current owners of which are Robert A. Lehane and Cindy Schaeffer.



Claim of Lien for Assessments
Robert A. Lehane
Cindy Schaeffer
Page 2 of 2

The amount due the lienor remains outstanding as of the 4 day of November, 2025.

Panache at Boca Pointe Condominium Association, Inc.

By 
Keith F. Backer/Agent

County of Palm Beach)
State of Florida)

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 4 day of November, 2025, by Keith F. Backer, Agent of Panache at Boca Pointe Condominium Association, Inc. who is personally known to me or has produced a drivers license as identification.

Notary Seal:


(Signature of person taking acknowledgment)

Angiletam Henriksen
(Name typed, printed or stamped)

Notary Public
(Title or rank)

(Serial number, if any)



ANGILETAM. HENRIKSEN
Commission # HH 317014
Expires October 18, 2026

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