

**REAL PROPERTY,  
PROBATE &  
TRUST LAW  
SECTION**



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June 30, 2023

Carolyn Timmann, CFCC  
Clerk of the Circuit Court & Comptroller  
100 SE Ocean Boulevard  
Stuart, Florida 34994

RE: House Bill 1419

Dear Clerk:

We are writing to you on behalf of the Real Property, Probate and Trust Law Section ("RPPTL") of The Florida Bar. You have requested assistance with regard to forms to be used by the Florida Court Clerks & Comptrollers ("FCCC") to satisfy the requirements of House Bill 1419. In that regard, in an effort to assist the FCCC with providing such forms, attached to this correspondence are sample forms that comply with House Bill 1419 to be used by FCCC as FCCC deems necessary. Thank you for reaching out to RPPTL.

Sincerely,

Sarah Butters  
Chair

Real Property, Probate and Trust Law Section



- d. The tax records showing the payment of taxes on the property for at least years prior to the recording of the deed you are claiming is fraudulent.

### **Caption**

The heading on the form is called the caption.

In the first blank, above the word “Plaintiff(s),” you should fill in the names of all persons which you claim own the property in question.

The case number will be completed by the Clerk’s Office.

In the second blank, above the word “Defendant(s),” you should fill in the names of all persons which you believe are fraudulently claiming ownership of the property in question.

### **Introductory Paragraph**

In the first blank, you should again fill in the names of all persons which you claim own the property in question.

In the second blank, you should again fill in the names of all persons which you believe are fraudulently claiming ownership of the property in question.

### **Paragraph 1**

In the first blank, you should fill in the name of the county where the property is located.

In the second blank, you should fill in the value of the property.

### **Paragraph 2**

In the first blank, you should again fill in the names of county where the property is located.

In the second blank, you should again fill in the exact legal description of the property in question.

### **Paragraph 3**

In this paragraph, you should list the deeds which show you and, if necessary, the previous owners before you, have owned the property in question for more than seven years. If you have not owned the property in question for more than seven years, you should provide information concerning the deed that transferred the property in question to the person(s) who sold it to you. You should continue providing deed information for each deed necessary to show continuous ownership for a total of more than seven years.

### **Paragraph 4**

In the first blank, you should fill in the name of the grantor(s) on the fraudulent deed.

In the second blank, you should fill in the name of the grantee(s) on the fraudulent deed.

In the third blank, you should fill in the date the deed was executed/signed

In the fourth blank, you should fill in the date the fraudulent deed was recorded.

In the fifth blank, you should fill in the Official Record Book book number and page number OR fill in the Instrument Number shown on the fraudulent deed.

In the sixth blank, you should fill in the name of the county where the fraudulent deed is recorded.

### **Signature Block**

Each person claiming ownership of the property in question should complete the signature block. Including providing their mailing address, telephone number, and email address.

**READ ALL OF THE INFORMATION AND INSTRUCTIONS BEFORE COMPLETING THE FORMS AND SUBMITTING THEM FOR FILING. DO NOT SIGN ANY DOCUMENTS THAT REQUIRE A NOTARY OR DEPUTY CLERK SIGNATURE UNTIL YOU ARE IN FRONT OF THE NOTARY OR DEPUTY CLERK. RETAIN COPIES OF ALL FORMS FILED FOR YOU YOUR OWN RECORDS. DOCUMENTS MUST BE LEGIBLE, TYPE WRITTEN OR LEGIBLY HANDWRITTEN IN BLACK OR BLUE INK. IT IS IMPORTANT TO REMEMBER THAT A DELAY CAN OCCUR AS A RESULT OF ANY ERRORS ON YOUR PAPERWORK.**

**THIS DOES NOT CONSTITUTE LEGAL ADVICE. CIVIL COURT INFORMATION AND FORMS PROVIDED BY THE \_\_\_\_\_ COUNTY CLERK OF THE CIRCUIT COURT SHOULD BE CONSIDERED INFORMATIONAL ONLY, AND MAY NOT BE APPLICABLE IN EVERY SITUATION. THE INFORMATION IS NOT INTENDED TO BE USED AS LEGAL ADVICE. SPECIFIC GUIDANCE AS TO HOW TO PROCEED WITH FILING OR ANSWERING A LAWSUIT AND QUESTIONS ABOUT YOUR PARTICULAR SITUATION SHOULD BE DIRECTED TO A QUALIFIED ATTORNEY.**

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

NAME(S) OF PLAINTIFF(S), )  
)  
Plaintiff(s), )  
)  
vs. )  
)  
NAME(S) OF DEFENDANT(S), )  
)  
Defendant(s). )  
\_\_\_\_\_ )

Case No. \_\_\_-20\_\_-CA-\_\_\_\_\_-A

COMPLAINT TO QUIET TITLE  
(Forged Deed)

Plaintiff (s) \_\_\_\_\_ sues Defendant(s)

\_\_\_\_\_, and alleges as follows:

1. This is an action to quiet title to real property pursuant to Chapter 65, Florida Statutes in \_\_\_\_\_ County, Florida that exceeds \_\_\_\_\_ in value.
2. Plaintiff(s) owns (own) the following described real property (the "Property") in \_\_\_\_\_ County, Florida:

[LEGAL DESCRIPTION OF PROPERTY]

3. Plaintiff(s) deraigns (deraign) title as follows:

**NOTE: A STATEMENT OF PLAINTIFF'S CHAIN OF TITLE FOR AT LEAST THE PAST 7 YEARS MUST BE ATTACHED.**

4. \_\_\_\_\_ purported to have been signed by the Plaintiff(s) and purporting to convey the Property to \_\_\_\_\_ by that certain deed dated \_\_\_\_\_, and recorded on \_\_\_\_\_ in Official Records Book \_\_\_\_\_ at page \_\_\_\_\_ /OR \_\_\_\_\_ Instrument Number of the public records of \_\_\_\_\_ County, Florida.

5. Plaintiff(s) did not execute the deed for the Property set forth in Paragraph 4.

6. Upon delivery of the deed described in Paragraph 2, Plaintiff(s) immediately went into possession of the Property and continuously maintained possession of the Property adverse to Defendant(s). Possession by the Plaintiff(s) and the Plaintiff(s)' predecessors in title has lasted for more than seven years, and Plaintiff(s) or Plaintiff(s)' predecessors in title have paid all of the taxes accruing on the Property for more than seven years.

7. Plaintiff(s) has/have not conveyed the Property to any person since obtaining the conveyance described in Paragraph 2.

8. The deed described in Paragraph 4 did not convey title to defendant(s) because Defendant(s)'/ fraudulent Grantor(s) had no title, but the recording of the deed casts a cloud on Plaintiff(s)' title.

WHEREFORE, Plaintiff(s) demands (demand) judgment against Defendant(s) quieting title to the Property in Plaintiff by removing the cloud from the title to the Property and adjudging Plaintiff to have good fee simple title to the Property.

\_\_\_\_\_  
[NAME OF PLAINTIFF]

\_\_\_\_\_  
[NAME OF PLAINTIFF]

\_\_\_\_\_  
[MAILING ADDRESS OF PLAINTIFF]

\_\_\_\_\_  
[MAILING ADDRESS OF PLAINTIFF]

\_\_\_\_\_  
[TELEPHONE NUMBER OF PLAINTIFF]

\_\_\_\_\_  
[TELEPHONE NUMBER OF PLAINTIFF]

\_\_\_\_\_  
[E-MAIL ADDRESS OF PLAINTIFF]

\_\_\_\_\_  
[E-MAIL ADDRESS OF PLAINTIFF]

INSTRUCTIONS FOR COMPLETING  
COMPLAINT TO QUIET TITLE  
(Wild Deed)

**Disclaimer**

This form is being provided pursuant to Section 65.091, Florida Statutes. The Clerk's Office cannot render legal advice, and is not rendering legal advice by the provision of this form and these instructions. Quiet title actions are complicated legal matters best handled by an attorney. You are urged to seek legal counsel for any assistance necessary in filing any legal action, including a quiet title action. Deputy clerks are not authorized to provide any legal advice beyond providing this form and these instructions. The Clerk's Office makes no representation that this form is adequate for your specific needs.

**Filing Fees**

Sub-subparagraph 28.241(1)(a)2.a. requires persons to pay a graduated filing fee based upon the value of the claim. You must pay the fee which you believe represents the value of your claim.

50,000 or less	\$400.00
More than \$50,000 but less than \$250,000	\$905.00
\$250,000 or more in value	\$1,905.00

Summons Issuance Fee                                 \$10.00 Per Summons

**IN ADDITION TO THE FILING FEE AND SUMMONS ISSUANCE FEE**, you must contact a private process server, or persons allowed to do service in the county where the service to be done, to obtain their service fees. You can get a list of local process servers from the Sheriff by accessing a link through the Clerk's website at \_\_\_\_\_

• If service is outside of \_\_\_\_\_ County, you must contact the Sheriff of that county to obtain applicable service fees.

**General**

Prior to filling out the complaint, you should get copies of the following:

- a. The deed(s) you are claiming are fraudulent;
- b. The deed which conveyed the property in question to you;
- c. The deed or deeds from prior owners of the property in question necessary to show the chain of title for at least seven years prior to the recording of deed you are claiming is fraudulent; and,

- d. The tax records showing the payment of taxes on the property for at least years prior to the recording of the deed you are claiming is fraudulent.

### **Caption**

The heading on the form is called the caption.

In the first blank, above the word “Plaintiff(s),” you should fill in the names of all persons which you claim own the property in question.

The case number will be completed by the Clerk’s Office.

In the second blank, above the word “Defendant(s),” you should fill in the names of all persons which you believe are fraudulently claiming ownership of the property in question.

### **Introductory Paragraph**

In the first blank, you should again fill in the names of all persons which you claim own the property in question.

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### **Paragraph 1**

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### **Paragraph 2**

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In the second blank, you should again fill in the exact legal description of the property in question.

### **Paragraph 3**

In this paragraph, you should list the deeds which show you and, if necessary, the previous owners before you, have owned the property in question for more than seven years. If you have not owned the property in question for more than seven years, you should provide information concerning the deed that transferred the property in question to the person(s) who sold it to you. You should continue providing deed information for each deed necessary to show continuous ownership for a total of more than seven years.

### **Paragraph 4**



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In the second blank, you should fill in the name of the grantee(s) on the fraudulent deed.

In the third blank, you should fill in the date the fraudulent deed was executed/signed

In the fourth blank, you should fill in the date the fraudulent deed was recorded.

In the fifth blank, you should fill in the Official Record Book book number and page number OR fill in the Instrument Number shown on the fraudulent deed.

In the sixth blank, you should fill in the name of the county where the fraudulent deed is recorded.

### **Signature Block**

Each person claiming ownership of the property in question should complete the signature block. Including providing their mailing address, telephone number, and email address.

**READ ALL OF THE INFORMATION AND INSTRUCTIONS BEFORE COMPLETING THE FORMS AND SUBMITTING THEM FOR FILING. DO NOT SIGN ANY DOCUMENTS THAT REQUIRE A NOTARY OR DEPUTY CLERK SIGNATURE UNTIL YOU ARE IN FRONT OF THE NOTARY OR DEPUTY CLERK. RETAIN COPIES OF ALL FORMS FILED FOR YOU YOUR OWN RECORDS. DOCUMENTS MUST BE LEGIBLE, TYPE WRITTEN OR LEGIBLY HANDWRITTEN IN BLACK OR BLUE INK. IT IS IMPORTANT TO REMEMBER THAT A DELAY CAN OCCUR AS A RESULT OF ANY ERRORS ON YOUR PAPERWORK.**

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IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

NAME(S) OF PLAINTIFF(S), )  
)  
Plaintiff(s), )  
)  
vs. )  
)  
NAME(S) OF DEFENDANT(S), )  
)  
Defendant(s). )  
\_\_\_\_\_ )

Case No. \_\_\_-20\_\_-CA-\_\_\_\_\_-A

COMPLAINT TO QUIET TITLE  
(Wild Deed)

Plaintiff (s) \_\_\_\_\_ sues Defendant(s)

\_\_\_\_\_, and alleges as follows:

1. This is an action to quiet title to real property pursuant to Chapter 65, Florida Statutes in \_\_\_\_\_ County, Florida that exceeds \_\_\_\_\_ in value.
2. Plaintiff(s) owns (own) the following described real property (the "Property") in \_\_\_\_\_ County, Florida:

[LEGAL DESCRIPTION OF PROPERTY]

3. Plaintiff(s) deraigns or deraign (sets forth) title to the Property as attached to this Complaint.

**NOTE: A STATEMENT LISTING ALL OWNERS OF THE PROPERTY FOR AT LEAST THE PAST 7 YEARS MUST BE ATTACHED TO THIS COMPLAINT**

4. Upon receiving the deed described in Paragraph 2, Plaintiff(s) immediately went into possession of the Property and continuously maintained possession of the Property adverse to Defendant(s). Possession by the Plaintiff(s) and the Plaintiff(s)' predecessors in title has lasted for more than seven years.

5. Plaintiff(s) has/have not conveyed the Property to any person since obtaining the conveyance described in Paragraph 2.

6. \_\_\_\_\_ purported to convey the property to \_\_\_\_\_ by that certain deed dated \_\_\_\_\_, and recorded on \_\_\_\_\_ in Official Records Book \_\_\_\_\_ at page \_\_\_\_\_ /OR \_\_\_\_\_ Instrument Number of the public records of \_\_\_\_\_ County, Florida.

7. The deed described in Paragraph 6 did not convey title to defendant(s) because Defendant's(s')/ Grantor(s) had no title (ownership interest) to convey to Defendant.

8. The recording of the deed to Defendant casts a claim (cloud) on Plaintiff's(s') title to the Property which should be removed by the Court.

WHEREFORE, Plaintiff(s) demands (demand) judgment against Defendant(s) quieting title to the Property in Plaintiff by removing the cloud from the title to the Property and adjudging Plaintiff to have good fee simple title to the Property.

\_\_\_\_\_  
[NAME OF PLAINTIFF]

\_\_\_\_\_  
[NAME OF PLAINTIFF]

\_\_\_\_\_  
[MAILING ADDRESS OF PLAINTIFF]

\_\_\_\_\_  
[MAILING ADDRESS OF PLAINTIFF]

\_\_\_\_\_  
[TELEPHONE NUMBER OF PLAINTIFF]

\_\_\_\_\_  
[TELEPHONE NUMBER OF PLAINTIFF]

[E-MAIL ADDRESS OF PLAINTIFF]

[E-MAIL ADDRESS OF PLAINTIFF]