



## Legal Note - Homestead Protection

---

Our experience has been that most Florida residents feel that their home is safe from creditors. Unfortunately, this is not necessarily the case. Homestead property located within a municipality may be attached by creditors and sold to satisfy a judgment if (i) the size of the homestead property exceeds one-half acre and (ii) the property may not be subdivided. For example, if subdividing would violate minimum lot size laws, the entire homestead parcel may be sold to satisfy a judgment. Under existing case law, the sales proceeds are generally divided and designated as exempt and non-exempt. Only proceeds proportionate to one-half acre (of the total property) are exempt and payable to the homeowner.