

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

PNC BANK, NA,

Plaintiff,

v.

Case No. 6:13-cv-503-Orl-37GJK

IPRO PROPERTIES, INC.; HEMANT R.
DESAI; and PARESHA H. DESAI,

Defendants.

ORDER

This cause is before the Court on the following:

1. Plaintiff's Motion for Payment of Rents (Doc. 23), filed May 20, 2013;
2. Defendants', IPRO Properties, Inc., Hemant R. Desai, and Paresha H. Desai[',s,] Response to Plaintiff's Motion for Payment of Rents (Doc. 29), filed July 1, 2013; and
3. Joint Stipulation for Agreed Order Granting PNC Bank, N.A.'s Motion for Payment of Rents (Doc. 33), filed July 11, 2013.

Defendants own a mortgaged property in Volusia County, Florida. (Doc. 10, ¶ 13.) Plaintiff is the mortgage holder. (*Id.* ¶ 12.) Defendant IPRO Properties, Inc. ("IPRO") assigned Plaintiff all rents from the property in the event of default. (Doc. 10-9, ¶¶ 1(d), 19.) Plaintiff alleges that Defendants defaulted on the mortgage. (*Id.* ¶ 15.) Plaintiff filed suit, pursuant to diversity jurisdiction, to foreclose on the mortgage and for other damages. (*Id.* ¶¶ 21-43.) Plaintiff then moved the Court to enter an order enforcing the assignment of rents. (Doc. 23.) Florida Statutes § 697.07 provides that the assignment of rents is enforceable by a court upon the mortgagor's default and the

mortgagee's demand for payment. Defendants do not oppose the motion (Doc. 29), and the parties entered a joint stipulation on the matter (Doc. 33).

Having reviewed the parties' stipulation, it is hereby **ORDERED AND ADJUDGED**:

1. Plaintiff's Motion for Payment of Rents (Doc. 23) is **GRANTED**.
2. Defendant IPRO Properties, Inc. is **DIRECTED** to pay to Plaintiff all net rents in its possession, custody, or control as they become due from the date of entry of this Order and continuing on a month-to-month basis throughout the pendency of this action.
3. Defendant IPRO Properties, Inc. is **DIRECTED** to provide Plaintiff with copies of all leases in effect and full access to rent information upon reasonable demand by Plaintiff and in conformance with the loan documents.

DONE AND ORDERED in Chambers in Orlando, Florida, on July 15, 2013.



ROY B. DALTON JR.
United States District Judge

Copies:

Counsel of Record