

DISTRICT COURT OF APPEAL OF FLORIDA  
SECOND DISTRICT

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LEO JOHN GUERIN, JR.,

Appellant,

v.

COUNTRYSIDE NORTH COMMUNITY ASSOCIATION, INC.,

Appellee.

No. 2D22-2004

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February 24, 2023

Appeal pursuant to Fla. R. App. P. 9.030 from the County Court for Pinellas County; Susan Bedinghaus, Judge.

Leo John Guerin, Jr., pro se.

Stephan C. Nikoloff of Greenberg Nikoloff, P.A., Dunedin, for Appellee.

LABRIT, Judge.

Leo John Guerin, Jr., appeals a final judgment of foreclosure rendered in favor of the Countryside North Community Association, Inc. (Association). We affirm the final judgment in all respects but one. The final judgment awards \$265.02 in attorneys' fees to the Association for work of the Association's prior counsel, but the judgment lacks specific findings on prior counsel's reasonable hourly rate and the number of hours prior counsel reasonably expended. These findings are required by *Florida Patient's Compensation Fund v. Rowe*, 472 So. 2d 1145 (Fla. 1985), and the final judgment is facially erroneous without them. See

*Harris v. McKinney*, 20 So. 3d 400, 403 (Fla. 2d DCA 2009) ("[T]he absence of the required [*Rowe*] findings in the written order renders the order fundamentally erroneous on its face . . ."); see also *R.M.A. v. J.A.S.*, 269 So. 3d 649, 652 (Fla. 2d DCA 2019) ("Reversal is required unless the trial court makes specific written findings as to [the] *Rowe* factors."). We therefore reverse the final judgment in this limited respect and remand with instructions that the trial court make specific findings on prior counsel's fees as *Rowe* requires. We affirm the remainder of the final judgment without comment.<sup>1</sup>

Affirmed in part, reversed in part, and remanded with instructions.

NORTHCUTT and CASANUEVA, JJ., Concur.

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Opinion subject to revision prior to official publication.

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<sup>1</sup> We note, however, that there appears to be a calculation error in the total attorneys' fees awarded in the final judgment, which the trial court should address on remand. The total award stated in paragraph 1 of the judgment (\$2,790.02) differs from the total of the components listed in paragraph 9 of the judgment (\$2,734.82).