

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

In re

Case No. 8:03-bk-05771-KRM

JAMES J. ALLEN, et ux.,
Debtors.

ORDER ON APPLICATION FOR ALLOWANCE
OF COMPENSATION BY REAL ESTATE
PROFESSIONALS, TODD D. JONES, MAI AND
REALADVICE, LLC

THIS CASE came on for consideration on April 5, 2005, on the Application for Compensation filed on December 21, 2004, by Real Estate Appraiser Todd D. Jones, MAI and the firm of RealAdvice, LLC, (collectively, "RealAdvice") (the "Application") (Document No. 84) and the Objection to the Application filed by the United States Trustee on March 12, 2005 (Document No. 89). The Application filed by RealAdvice sought compensation in the amount of \$7,500.00.¹ Having heard argument of counsel for the Chapter 7 Trustee and counsel for the United States Trustee, and reviewing the record, the Court concludes that RealAdvice is entitled to compensation in the amount of \$4,300.00.

On May 23, 2003, the Chapter 7 Trustee filed an Application to Employ RealAdvice (the "Application to Employ") (Document No. 33). The order approving the Application to Employ was entered on August 5, 2003.

The Application seeks compensation for services rendered between May 10, 2003 and May 21, 2003. The Court finds that 26 hours of work were completed before the Application to Employ was filed. Such services are not compensable.² See In re Keller Fin. Servs. of Fla., Inc., 248 B.R. 859, 892 (Bankr. M.D. Fla.

¹ Applicant seeks \$7,500.00 for 37.5 hours billed at the rate of \$200.00 per hour.

² All but one hour of work performed by RealAdvice was completed prior to the order approving the Application to Employ. However, the Court deems the date of filing the Application to Employ, May 23, 2003, as the "start date" for RealAdvice's eligibility for compensation.

2000)(citing In re W.T. Mayfield Sons Trucking Co., Inc., 225 B.R. 818, 824 (Bankr. N.D. Ga. 1998)(waiting until the work is completed is often fatal to a professional's application for compensation)); 11 U.S.C. §§ 328, 330; Fed. R. Bankr. P. 2016.

Accordingly, it is hereby

ORDERED:

1. RealAdvice is entitled to compensation for 21.5 hours of work, billed at \$200.00 per hour, for a total fee of \$4,300.00.

2. The Chapter 7 Trustee is authorized and directed to pay the applicant \$4,300.00.

DONE and ORDERED in Tampa, Florida, this 21 day of April, 2005.



K. RODNEY MAY
United States Bankruptcy Judge

Certificate Of Service

I transmitted today a copy of this order to the Bankruptcy Noticing Center for mailing to the following persons:

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Dated: 4/21/05 By: Linda Horton

Deputy Clerk