

**Strategic Capital Resources, Inc.’s Motion for Allowance of Administrative Expense Claim in Connection with Model Home Lease Obligations (the “SCR Lease Motion”).**

By the SCR Lease Motion, creditor Strategic Capital Resources, Inc. (“SCR”) seeks entry of an order allowing its claim for an administrative expense related to leases of certain model homes which SCR alleges that the Debtors have used, and in some cases continue to use, in the operation of their businesses.

On March 3, 2003, March 31, 2004, June 30, 2004, May 21, 2005, June 21, 2005, and June 30, 2005, TOUSA, Inc. (“TOUSA”) entered into leases (the “Leases”) with SCR, pursuant to which, TOUSA used certain completed homes (the “Homes”) as model homes and sales centers.

SCR asserts that, after the Petition Date, TOUSA continued to use certain of the Homes. However, SCR alleges that TOUSA has not paid all postpetition rent and real estate taxes due under the Leases. SCR states that amounts outstanding are \$67,405.78 for postpetition rent and \$65,014.72 for postpetition taxes.

SCR asserts that, under Bankruptcy Code section 365(d)(3), TOUSA is required to pay postpetition rent in accordance with the Leases. Alternatively, SCR asserts that it is entitled to an administrative expense claim for postpetition rent under Bankruptcy Code section 503(b) because it has conferred an actual, concrete benefit upon the estate. SCR further asserts that it is entitled to unpaid real estate taxes under Bankruptcy Code section 365(d)(3) because the real estate taxes are a postpetition obligation under the Leases.

***The SCR Lease Motion has been scheduled for a hearing on July 10, 2008, with a corresponding objection deadline of July 3, 2008.***