

# Rogue real estate representatives ordered to pay \$603,700 to The Villages

By **Meta Minton** April 24, 2021

Rogue real estate representatives who broke from and competed against The Villages have been ordered to pay \$603,700 in damages to their former boss.

Judge James Moody Jr. has also ruled that Jason Kranz, Christopher Day, Angela Kranz, Nanette Elliott, Angie Taylor and KD Premier Realty are enjoined from doing business as real estate brokers or agents in The Villages for a period of 18-months beginning June 1.

The ruling was announced Friday after a five-day trial earlier this month in federal court in Tampa.

It is a major victory for The Villages which claimed the former sales representatives were in violation of independent contractor agreements that included non-compete clauses. The judge also denied the former sales representatives' claims that they were owed overtime compensation. They had argued they were treated more like employees than independent contractors.



*Christopher Day and Jason Kranz launched a real estate venture after leaving Properties of The Villages.*

Day and Kranz sent bombshell emails to the entire Properties of The Villages sales force on Dec. 16, 2019 announcing their abrupt departure from the powerful sales arm of Florida's Friendliest Hometown. When Vice President of Sales Jennifer Parr took the witness stand earlier this month, she admitted she had been caught off guard by the sudden departure of two of her top salesmen, both of whom were earning in the neighborhood of \$500,000 per year, according to their own testimony.

Day and Kranz admitted they had taken customer lists and other information when they left Properties of The Villages, but both downplayed it and said what they took was out of date and not valuable. The judge has ordered them to return the information to Properties of The Villages by June 1. But he also gave them until June 1 as "a wind down period" to cease their real estate activities in The Villages.

The judge also ruled that information contained in Properties of The Villages computer system, the AS/400, constitutes a trade secret.

"It is a compilation, program and process that derives independent economic value not readily ascertained by outside persons and created by efforts that are reasonable under the circumstances to maintain its secrecy. It contains valuable confidential business information about POV's customers and constitutes customer goodwill concerning a specific geographic location, trademark, and extraordinary specialized training. POV maintains this information to follow its customers. Buyers of homes in The Villages buy multiple times. By treating them as lifelong customers, POV has retained 55 percent of the re-sale market," the judge wrote in the decision.



John Lauro

Properties of The Villages had hired high-powered litigator John Lauro, whose legal expertise has been called upon for on-air appearances on Fox News. Lauro shredded Day and Kranz on the stand, **unearthing everything from an embarrassing frat-boy scrape with the law to a devastating bankruptcy**. He also picked at possible marital miscommunication between Jason and Angela Kranz, forcing the admission that **Mrs. Kranz was not fully in the loop before the Dec. 16, 2019 point-of-no-return email was sent by her husband**. Angela Kranz said she had hoped to maintain her position at Properties of The Villages, where she earned \$130,000 in her second year as a sales representative, while her husband birthed his new competing business.

Lauro also came to court armed with numerous exhibits, including several email messages from Day and Kranz in which they praised Parr, her family's vision and told of how fortunate they felt to be a "cog in the wheel" of The Villages.

The judge offered a formula for the amount of damages awarded to Properties of The Villages.

"POV placed into evidence a list of sales made by Defendants since leaving. It removed the three properties owned individually by a Defendant and calculated the lost commissions. That amount was multiplied by POV's 55 percent market share of home re-sales giving a resulting total of \$603,700.36. The Court concludes that is an appropriate measure of damages," wrote Judge Moody, who is the father of Attorney General Ashley Moody.

Lauro had claimed The Villages suffered \$1.12 million in lost commissions due to KD Premier Realty.

Day, Kranz and the others who left Properties of The Villages to join the rebel real estate firm were represented by attorney Jonathan Pollard of Fort Lauderdale. Former Properties of The Villages sales representative **Cynthia Hughes settled in the case days before the trial**. She agreed to pay Properties of The Villages \$5,000 for its attorneys' fees. Former salesperson **Kelly Shipes also settled before the trial started**. She did not pay any attorneys' fees, but like Hughes agreed not to sell real estate in The Villages for 18 months. Both Hughes and Shipes had followed Day and Kranz to KD Premier Realty.