



TAMPA BAY BANKRUPTCY CENTER, P.A.

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## Judge Urges Hotel to file for Bankruptcy

Last week US Supreme Court judge Richard C. Kloch Sr. urged the owners of Barton Hill Hotel to file for bankruptcy. However, the hotel's attorneys say that they are fighting to prevent that by getting a major hotelier to buy up the Lewiston facility.

In the meantime, the Iddleson Group, who holds a delinquent mortgage on Barton Hill hotel, applied to send the hotel into receivership but the move was not approved by Judge Kloch. Being under receivership would entail handing over all of Barton Hill's revenue's to the Iddleson Group less the commission to the receiver. The hotel owes the Iddleson Group more than \$9 million, including interests and late fees.

In the opinion of Judge Kloch, Barton Hill hotel needs reorganization which would be best done when under bankruptcy protection. The judge intends to compel the hotel into bankruptcy by signing a foreclosure order. He invited the Iddleson Group to submit a foreclosure order on Barton Hill so that he could sign it. If such an order is issued and signed by the judge, the only option open

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to the hotel to avoid all its assets being foreclosed, liquidated and proceeds paid to Iddleson to settle debts would be for the hotel to file for Chapter 11 bankruptcy protection.

At the same time, the hotel owes \$43,025 in back taxes and is listed on Niagara County's tax foreclosure list. However, a Chapter 11 filing would prevent the county from taking title and auctioning off the hotel. In addition, the county also initiated legal proceedings against the hotel for \$67,178 it owes in delinquent payments in lieu of taxes. The Niagara County Legislature filed their lawsuit against the 72-room hotel last Tue at the state Supreme Court to try to collect this amount.

The hotel's attorney, Corey J. Hogan said the owners, Edward and Diane Finkbeiner are working towards paying off most of their debts by May 15. The couple are discussing with American Property Management Corporation, a San Diego company that owns or operates about 30 hotels the possibility of buying over Barton Hill.

Despite these financial problems, Hogan revealed that the business of the hotel has been on the rise. Revenue for January this year went up by 30% year on year.

If you or your business are struggling financially, consider filing for bankruptcy. Call us at (813) 200 4133 and we will show you how in the most practical and cost-effective way.

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