

**IN RE JAIME AND NATALIA ENSENAT**  
**06-15979-BKC-LMI**

Chapter 7 trustee objected to Debtors' claim of exemption in separate structure attached to Debtors' homestead. A relative resided in the structure, but did not pay rent to the Debtors. Under Florida law, a separate structure on what is otherwise homestead property is not disqualified from the same protections as the residential structure merely because it is separate from the primary residential structure so long as it is not used for a business purpose. Although, the Debtors' niece may not qualify as the Debtor's "family" for purposes of the homestead exemption, the Court found the Debtors were nevertheless entitled to claim the homestead exemption for the entire residence, including the separate structure.