

**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

MANNERING CONDOMINIUM ASSOCIATION,	)	
	)	No. ED101734
	)	
Respondent,	)	Appeal from the Circuit Court of the City of St. Louis
	)	
vs.	)	
	)	Honorable Calea Stovall-Reid
DAVID A. SCHULTE,	)	
	)	
	)	
Appellant.	)	FILED: June 2, 2015

Appellant David Schulte (“Schulte”) appeals from the judgment of the trial court, following a bench trial, ordering Schulte to pay Mannering Condominium Association (“the Association”) \$7,888.74 in delinquent assessments and attorneys’ fees. On appeal, Schulte argues the trial court erred in entering judgment in favor of the Association because the trial court lacked subject matter jurisdiction due to the plaintiffs’ lack of standing. Schulte contends that because a quorum was not present at the Association Board Meeting authorizing Efthim Company Realtors (“Efthim”) and attorney Robert Jones (“counsel”) to file the lawsuit against him, Efthim and counsel lacked authority to act on the Association’s behalf, and correspondingly, lacked standing to bring the action. Similar to his first point on appeal, Schulte additionally claims the trial court erred in entering judgment because the real party in interest, the Association, was not a party in the case.

**AFFIRMED.**

Division III holds: Because a quorum was present at the Association Board Meeting as defined by the Association’s By-laws, and because the record reflects that Efthim and counsel were authorized to act on behalf of the Association in filing the lawsuit against Schulte, we affirm the judgment of the trial court.

Opinion by: Kurt S. Odenwald, P.J., Robert G. Dowd, Jr., J. and Gary M. Gaertner, Jr., J. Concur.

Attorney for Appellant: Ron Ribaudó

Attorney for Respondent: Robert E. Jones and Stephanie E. Karr

**THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.**