

AVATAR HOLDINGS INC
Form 8-K
May 24, 2010

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

FORM 8-K

CURRENT REPORT

Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934

Date of Report (Date of Earliest Event Reported):

May 18, 2010

Avatar Holdings Inc.

(Exact name of registrant as specified in its charter)

Delaware

001-07395

23-1739078

(State or other jurisdiction
of incorporation)

(Commission
File Number)

(I.R.S. Employer
Identification No.)

201 Alhambra Circle, Coral Gables, Florida

33134

(Address of principal executive offices)

(Zip Code)

Registrant's telephone number, including area code:

1-305-442-7000

Not Applicable

Former name or former address, if changed since last report

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

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Item 8.01 Other Events.

On May 18, 2010, Avatar Holdings Inc. ("Registrant") executed a Guaranty Agreement in favor of Wells Fargo Bank, N.A. ("Wells Fargo"), successor by merger to Wachovia Bank, N.A., in connection with the Continuing Letter of Credit Agreement of Registrant's wholly-owned subsidiary, Avatar Properties Inc. ("Properties"). As previously reported in Registrant's Form 10-Q for the period ended March 31, 2010, filed May 10, 2010, Properties deposited \$22,035,000 with Wells Fargo to secure the retirement of the letters of credit previously drawn under a line of credit with Wachovia Bank, N.A., as administrative agent and lender.

Item 9.01 Financial Statements and Exhibits.

(d) Exhibits

99.1 Guaranty Agreement dated May 18, 2010, executed on behalf of Avatar Holdings Inc., a Delaware corporation, in favor of Wells Fargo Bank, N.A., successor by merger to Wachovia Bank, N.A.

99.2 Continuing Letter of Credit Agreement dated May 18, 2010, executed on behalf of Avatar Properties Inc., a Florida corporation, and Avatar Holdings Inc., a Delaware corporation, in favor of Wells Fargo Bank, N.A., successor by merger to Wachovia Bank, N.A.

99.3 Security Agreement dated May 18, 2010, executed on behalf of Avatar Properties Inc., a Florida corporation, and Avatar Holdings Inc., a Delaware corporation, in favor of Wells Fargo Bank, N.A., successor by merger to Wachovia Bank, N.A.

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SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Avatar Holdings Inc.

May 24, 2010

By: *JUANITA I. KERRIGAN*

Name: JUANITA I. KERRIGAN
Title: Vice President and Secretary

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Exhibit Index

| <u>Exhibit No.</u> | <u>Description</u> |
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