

TOUSA INC
Form NT 10-Q
November 09, 2007

OMB APPROVAL
OMB
Number: 3235-0058
Expires: April 30,
2009
Estimated average
burden hours per
response ... 2.50

SEC FILE NUMBER

CUSIP NUMBER

**UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549
FORM 12b-25
NOTIFICATION OF LATE FILING**

(Check one): Form 10-K Form 20-F Form 11-K Form 10-Q Form 10-D Form N-SAR Form N-CSR

For Period Ended: September 30, 2007

Transition Report on
Form 10-K

Transition Report on
Form 20-F

Transition Report on
Form 11-K

Transition Report on
Form 10-Q

Transition Report on
Form N-SAR

For the Transition Period
Ended:

Read Instruction (on back page) Before Preparing Form. Please Print or Type.

Nothing in this form shall be construed to imply that the Commission has verified any information contained herein.

If the notification relates to a portion of the filing checked above, identify the Item(s) to which the notification relates:

PART I REGISTRANT INFORMATION

TOUSA, Inc.

Full Name of Registrant

Former Name if Applicable

4000 Hollywood Boulevard, Suite 500N

Address of Principal Executive Office (*Street and Number*)

Hollywood, FL 33021

City, State and Zip Code

PART II RULES 12b-25(b) AND (c)

If the subject report could not be filed without unreasonable effort or expense and the registrant seeks relief pursuant to Rule 12b-25(b), the following should be completed. (Check box if appropriate)

- (a) The reason described in reasonable detail in Part III of this form could not be eliminated without unreasonable effort or expense
- x (b) The subject annual report, semi-annual report, transition report on Form 10-K, Form 20-F, Form 11-K, Form N-SAR or Form N-CSR, or portion thereof, will be filed on or before the fifteenth calendar day following the prescribed due date; or the subject quarterly report or transition report on Form 10-Q or subject distribution report on Form 10-D, or portion thereof, will be filed on or before the fifth calendar day following the prescribed due date; and
- (c) The accountant's statement or other exhibit required by Rule 12b-25(c) has been attached if applicable.

PART III NARRATIVE

State below in reasonable detail why Forms 10-K, 20-F, 11-K, 10-Q, 10-D, N-SAR, N-CSR, or the transition report or portion thereof, could not be filed within the prescribed time period.

SEC 1344 (03-05) **Persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.**

(Attach extra Sheets if Needed)

PART IV OTHER INFORMATION

(1) Name and telephone number of person to contact in regard to this notification

Stephen M. Wagman

954

364-4000

(Name)

(Area Code)

(Telephone Number)

(2) Have all other periodic reports required under Section 13 or 15(d) of the Securities Exchange Act of 1934 or Section 30 of the Investment Company Act of 1940 during the preceding 12 months or for such shorter period that the registrant was required to file such report(s) been filed ? If answer is no, identify report(s).

Yes No

(3) Is it anticipated that any significant change in results of operations from the corresponding period for the last fiscal year will be reflected by the earnings statements to be included in the subject report or portion thereof?

Yes No

If so, attach an explanation of the anticipated change, both narratively and quantitatively, and, if appropriate, state the reasons why a reasonable estimate of the results cannot be made.

TOUSA, Inc.

(Title of Registrant)

(Name of Registrant as Specified in Charter)

has caused this notification to be signed on its behalf by the undersigned hereunto duly authorized.

Date November 9, 2007

By /s/ Stephen M. Wagman, EVP & CFO

ATTACHMENT A TO FORM 12b-25
Form 10-Q for the Quarter Ended September 30, 2007

PART III NARRATIVE

Although the management of TOUSA, Inc. (the Registrant) has been working diligently to complete all required information for its Form 10-Q for the quarter ended September 30, 2007 (the Form 10-Q), the Registrant is unable to file its Form 10-Q within the prescribed time period without unreasonable effort or expense due to the accounting efforts required to reflect the impairment charges and abandonment costs the Company expects to report. The Registrant does presently expect that it will be able to file the Form 10-Q on or before the fifth calendar day following the prescribed due date.

ATTACHMENT B TO FORM 12b-25

Form 10-Q for the Year Ended September 30, 2007

PART IV OTHER INFORMATION

The Registrant anticipates that it will report a significant loss in its results of operations for the quarter ended September 30, 2007 as compared to the previous year due to material impairment charges and abandonment costs. These charges will result in a material degradation of the Company's stockholders' equity. The Registrant is unable to provide a reasonable estimate as the analysis has not been completed.