

**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES**

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IN RE: PETITION FOR RECALL ARBITRATION

**The Forest at Ridgewood Homeowners'
Association, Inc.,**

Petitioner,

v.

Case No. _____

**Owners Voting for Recall,
Larry Bassett, Designated
Homeowner's Representative
318 Boxwood Dr., Davenport,
Florida 33837,**

Respondent.

_____ /

**MANDATORY BINDING ARBITRATION FORM PETITION-RECALL DISPUTE/
WITH INCORPORATED MOTION TO DISMISS RECALL AND QUASH SERVICE OF
PROCESS OF RECALL BALLOTS**

The original of this recall arbitration petition form shall be accompanied by a \$200.00 filing fee and shall be mailed or sent via facsimile to:

Department of Business and
Professional Regulation
Attn: Arbitration Section
1940 North Monroe Street
Tallahassee, FL 32399-1029
Fax: 850-487-0870

The petitioner shall attach to this petition, for use by the arbitrator, a complete copy of the bylaws of the homeowners association, its articles of incorporation, declaration of covenants and restrictions, and rules, including any amendments to each, as well as any other documents that are pertinent to the petition including a copy of all recall ballots served on the association, along with a copy of the petition for the respondent.

1. Name, mailing address, and telephone number of party filing petition (if the party filing the petition is an association, provide both the street address and mailing address, if different, for the association.):

The Forest at Ridgewood Homeowners' Association, Inc.
1011 Golf Course Parkway
Davenport, Florida 33837

2. Name, mailing address, telephone number fax number, and e-mail address of petitioner's representative (attorney or qualified representative), if any:

Jennifer Englert, Esq.
The Orlando Law Group, PL
12031 Lake Underhill Rd., Suite 213
Orlando, Florida 32828
Phone: 407-512-4394
Fax : (407) 955-4654
Email: jenglert@theorlandolawgroup.com

3. If the petitioner is an association or other corporation, the petitioner must be represented by a Florida attorney or by a qualified representative. If petitioner's representative is not an attorney, attach DBPR Form HOA 6000-6, QUALIFIED REPRESENTATIVE APPLICATION, as required by Rule 61B-80.101(3), Florida Administrative Code.

N/A

4. The name and mailing address of each respondent (if respondent is an association, give the name and address of the president, secretary, or the registered agent of the association):

All Boxwood, Joewood, Southern Pine Way, Spanish Moss Rd., and Golf Course Pkwy
addresses below are **Davenport, Florida 33837**

- | | | |
|----|-----------------|-----------------|
| 1. | Walter Namiotka | 104 Boxwood Dr. |
| 2. | Ann Hoffer | 105 Boxwood Dr. |
| 3. | David MacMorran | 114 Boxwood Dr. |
| 4. | Lynn Matos | 115 Boxwood Dr. |
| 5. | Lance Doering | 124 Boxwood Dr. |

6. Dwight Horne 125 Boxwood Dr.
Mailing Address = 311 Rue St. Joesph, STE Martine, Quebec Jos 1V0, Canada

7. Russell Mouton 134 Boxwood Dr.
8. Lawrence Turner 135 Boxwood Dr.
9. James Wilson 145 Boxwood Dr.
10. Kay Balstad 207 Boxwood Dr.
Mailing Address = 204 3rd St. NW, Fosston, MN 56542-1006

11. Timothy Beugel 217 Boxwood Dr.
12. Eddie Basora 227 Boxwood Dr.
13. Eddie Basora 236 Boxwood Dr.
Mailing Address = 227 Boxwood Dr., Davenport, Florida 33837-5549

14. Albert Aquino 246 Boxwood Dr.
15. Robert Acklin 308 Boxwood Dr.
16. Richard Ramsden 309 Boxwood Dr.
Mailing Address = POB 640, Davenport, Florida 33836-0640

17. Larry Basset 318 Boxwood Dr.
18. Jorge Avila 319 Boxwood Dr.
19. Tamara Haberman 321 Boxwood Dr.
20. Mark Kalogeropoulos 338 Boxwood Dr.
Mailing Address = 15441 Xkimo St. NW, Anoka, MN 55303-4250

21. George Kyriakopulos 421 Boxwood Dr.
Mailing Address = 8711 Knightsbridge Ct., Celebration, Florida 34747-3294

22. Robert Burkhart 237 Boxwood Dr. * rejected
Mailing Address = 6217 Saint Moritz Ave., Dallas, Texas 75214-2322

23. Euler Ralf 226 Boxwood Dr. * rejected
24. Mary Pilat 102 Golf Course Pkwy
25. Frank Coverdale 103 Golf Course Pkwy
26. H. Parke-Rick 112 Golf Course Pkwy
27. Brent Bishop 122 Golf Course Pkwy
Mailing Address = 187 Davis Dr., Mount Albert, Ontario, Log 1M0, Canada

28. Lori Welle 132 Golf Course Pkwy
29. Carmen Freeman 133 Golf Course Pkwy
30. Joanne Pelekakis 152 Golf Course Pkwy
31. Joseph Scott 214 Golf Course Pkwy
32. Gary Wassaf 326 Golf Course Pkwy
33. Charles Hopkins 336 Golf Course Pkwy
34. Jairo Gomez 337 Golf Course Pkwy
35. Homaya Neault 346 Golf Course Pkwy

- 36. Donna Shields 408 Golf Course Pkwy
- 37. Janiah Adolphine 418 Golf Course Pkwy
- 38. Eric Steidinger 419 Golf Course Pkwy
- 39. Robert Ogle 428 Golf Course Pkwy
- 40. Paul Pliveira 438 Golf Course Pkwy
- 41. Mohammed Siddiq 500 Golf Course Pkwy
- 42. Larry Skrip 510 Golf Course Pkwy
- 43. Larry Skrip 520 Golf Course Pkwy
- 44. Eurilyn Tan 613 Golf Course Pkwy
- 45. Margaret Lawrie 642 Golf Course Pkwy
- 46. Hugh Groves 704 Golf Course Pkwy

Mailing Address = Home Farm Salters Lane, Ludgershall Aylesbury, HP18, 9NY, UK

- 47. Crisbel Munoa 745 Golf Course Pkwy
- 48. Neal Condon 754 Golf Course Pkwy
- 49. Michael Hazzourie 806 Golf Course Pkwy
- 50. William Dinkins 807 Golf Course Pkwy
- 51. Sherry Kallmeyer 817 Golf Course Pkwy
- 52. Wendy Claar 918 Golf Course Pkwy
- 53. Claire Ivil 1010 Golf Course Pkwy
- 54. Michael Ronan 1132 Golf Course Pkwy

Mailing Address = 7272 Sixth Line, RR3 Tottenham, Ontario, LOG 1WO, Canada

- 55. Stephen Perkins 1214 Golf Course Pkwy

Mailing Address = 11 Hill Foot View, Wingrave HP22 4FS, UK

- 56. Lana Moore 1302 Golf Course Pkwy
- 57. Dukesfield Properties LTD. 1316 Golf Course Pkwy

Mailing Address = Derry Beg Old Domewood, Copthorne Sussex, RH103HD, UK

- 58. Sharon McDaniel 1317 Golf Course Pkwy
- 59. Barry Nychuk 1326 Golf Course Pkwy
- 60. Roberto Aponte 1337 Golf Course Pkwy
- 61. Alison Barot 1347 Golf Course Pkwy

Mailing Address = 15 Whithorn Lane, Loughton Milton Keynes MK5 8EB, UK

- 62. Alan Boettger 1408 Golf Course Pkwy

Mailing Address = 79 Clouse St., Akron, Ohio 44333-2401

- 63. Kathleen Sharkey 1419 Golf Course Pkwy
- 64. Two Taylor Ventures 1429 Golf Course Pkwy

Mailing Address = 23800 W. 10 Mile Rd., Southfield, MI 48033-3176

- 65. Juri Zaslawski 1234 Golf Course Pkwy * rejected
- 66. Josephine Zaslawski 1234 Golf Course Pkwy * rejected
- 67. LIZFCC, LLC 1020 Golf Course Pkwy * rejected

Mailing Address = 585 E. Main St., New Britan, Ct., 06051-2025

68. Mark Kahl 816 Golf Course Pkwy * rejected
Mailing Address = 30 Howitt Drive, Milton Keynes, Bucks MK13 7D2, UK

69. Dale Ellenberger 633 Golf Course Pkwy * rejected
70. Michael Salemi 113 Golf Course Pkwy * rejected
71. Maria Epstein 109 Joewood Trail
72. Alan Chavez 119 Joewood Trial
73. Pop Lourdes 148 Joewood Trial
74. Darlene Brannigan 158 Joewood Trial
75. Michael Quinn 120 Sand Pine Lane
76. Charles Hopkins Rev. Trust. 106 Southern Pine Way
Mailing Address = 336 Golf Course Pkwy, Davenport, Florida 33837-5522

77. Jill Swan 117 Southern Pine Way
78. Alice Myers 146 Southern Pine Way
79. Mary Dugan 147 Southern Pine Way
80. Wanda Byczkiewicz 176 Southern Pine Way * rejected
81. Mohammed Mastapha 116 Southern Pine Way * rejected
82. Jennifer Colon 101 Spanish Moss Rd.
83. William Rich 111 Spanish Moss Rd.
Mailing Address = 2880 Skatetown Rd., Bloomsburg, PA, 17815-3261

84. Lauren McCart 121 Spanish Moss Rd.
85. Beth Hartlage 131 Spanish Moss Rd.
Mailing Address = 26 S. Laurel Dr., Somers Point, NJ, 08244-1251

86. Bernard Byrne 203 Spanish Moss Rd.
87. James Kutz 213 Spanish Moss Rd.
88. Matthew Barbosa 223 Spanish Moss Rd.

5. If the respondent is represented by an attorney or qualified representative, provide the name, mailing address and telephone number of that person.

Owner Representative:

Larry Bassett, 318 Boxwood Dr., Davenport, Florida 33837; Phone unknown.

6. The total number of voting interests in the association is **164**. (Majority = 83)
7. The total number of seats on the association's board of directors at the time the recall ballots or agreement were served on the board is three (3).

8. The names of the board directors against whom the written recall agreement was directed and the total number of votes cast to recall each board member are:

- a. **Kevin Mack: 88 votes (14 disputed)**
- b. **Edward Burden: (not a Board Member at the time of Recall) 88 votes (15 disputed)**

9. The date(s) of the next regularly scheduled election for the seat(s) of the board director(s) being recalled is unknown as it is at least a year in the future since their terms will not expire until then.

10. If the attempted recall was by written agreement or written ballot, state when the written recall agreement was improperly received by the board: **April 16, 2026 at 1:00 p.m.**, despite ineffective service of process upon the stepson (Allen) of Director Kevin Mack, **on April 12, 2026**, while Director Mack was out of town. Director Mack was not made aware of the Recall Ballots until **April 16, 2026**.

A copy of the written recall agreement or ballots are attached to this petition.

11. If the recall was by vote at a homeowners' meeting, give the date and time of the meeting, and attach minutes of the meeting, if available.

N/A

12. The board determined not to certify the recall at a board meeting held on **April 21, 2026**. The meeting was called to order at **4:00 p.m.**, and adjourned at **4:10 p.m.** **A copy of the minutes of the board meeting is attached.**

13. As reflected in the minutes of the board meeting, or in any resolution adopted by the board at the meeting, the board determined to not certify the recall because: *(list each specific vote rejected by the board and each specific basis upon which the board at the board meeting based its determination to reject the vote and not certify the recall).*

- 1132 Golf Course Parkway rejected because he emailed and asked to recant it
- 1234 Golf Course Parkway has two ballots for the same address (one is missing house number so just struck one)
- 633 Golf Course Parkway rejected for incorrect date
- 237 Boxwood Dr rejected for incorrect date

- 1020 Golf Course Parkway rejected for inability to verify ability to sign on behalf of LLC
- 1316 Golf Course Parkway rejected for inability to verify ability to sign on behalf of LLC
- 1429 Golf Course Parkway rejected for inability to verify ability to sign on behalf of LLC
- 1010 Golf Course Parkway rejected for inability to verify Trustee and/or signors ability to sign for Trust
- 105 Boxwood Dr Parkway rejected for inability to verify Trustee and/or signors ability to sign for Trust
- 918 Golf Course Parkway rejected for inability to verify Trustee and/or signors ability to sign for Trust
- 132 Golf Course Parkway rejected for inability to verify Trustee and/or signors ability to sign for Trust
- 336 Golf Course Parkway rejected for inability to verify Trustee and/or signors ability to sign for Trust
- 106 Southern Pine Way rejected for inability to verify Trustee and/or signors ability to sign for Trust
- 214 Golf Course Parkway rejected because the deed is to a trust with no evidence he is the trustee and/or has ability to sign for Trust

113 Golf Course Parkway rejected for Ed Burdon only because check mark looks crossed out so you cannot tell how they meant to vote

14 total rejects with 15 total rejects for Ed Burdon

A copy of each supporting document, that were considered by the board in rejecting individual written agreements are attached. It is also important to note that color copies were not received so any discrepancies in pen marking or ink are impossible to see.

MOTION TO DISMISS/QUASH SERVICE OF PROCESS

14. As reflected hereinabove in paragraph 10, Respondent attempted to serve the Board with the Recall Ballots via affecting personal service upon Director Kevin Mack on Sunday, April 12, 2026 by serving Director Mack's stepson at Director Mack's personal residence.

15. Pursuant to Rule 61B-81.003(g), FAC, the written agreement or a copy shall be served *on the board by certified mail or by personal service*. Service on the board after 5:00 p.m. on a business day or on a Saturday, Sunday or legal holiday, as prescribed by Section 110.117, F.S., shall be deemed effective as of the next business day that is not a Saturday, Sunday, or legal holiday. Service of the written agreement **on an officer, association manager, board director or the association's registered agent** will be deemed effective service on the association. Service upon **an attorney** who has represented the association in other legal matters will not be

effective on the association unless that attorney is a director, the association's registered agent, or has otherwise been retained by the association to represent it in the recall proceeding. **Personal service shall be affected in accordance with the procedures set out in Chapter 48, F.S., and the procedures for service of subpoenas as set out in rule 1.410(c), Florida Rules of Civil Procedure, effective 2-3-05; and**

16. The individual served with the Recall Ballots on Sunday, April 12, 2026, was Director Mack's son who was served at Director Mack's personal residence via what may arguably be an attempt to affect substitute service *on the Board*.

17. Respondent has failed to perfect service of process of the Recall Ballots *upon the Board* because Director Mack's son is not an officer, director, association manager, registered agent or an attorney for the Petitioner.

18. For purposes of what may arguably be characterized as personal service; FAC 61B-81.003(g) directs that personal service *on the board* must be done in compliance with Fla. Stat. 48.

19. Fla. Stat. 48.20 prohibits personal service on an individual on a Sunday (April 12, 2026), absent an affidavit made by the person requesting such service under exceptional circumstances, for which we do not have such circumstances or an affidavit, or such applicable Court Order here.

20. Furthermore, Petitioner is a Florida (domestic) non-profit corporation. Service of process upon a domestic corporation is controlled by Fla. Stat. 48.081, which requires service of process first be attempted upon the registered agent of the corporation (2); then upon officers of the corporation (3)(a); thereafter upon any person publicly listed on the corporation's annual report (3)(b); and then if unsuccessful, upon the Secretary of State, (4)(b).

21. As Respondent has failed to perfect service of process of the Recall Ballots upon the Board, in compliance with FAC 61B-81.003(g) and Fla. Stat. 48; such service must be quashed; the Petition for Recall must be granted in Petitioner's favor and the Recall dismissed/denied.

22. Further Respondent did not obtain enough ballots for the recall. Eighty-eight ballots are required for a recall, fourteen ballots were disqualified with 14 total rejects with 15 total rejects for Ed Burdon. As such the Petition for Recall must be granted in Petitioner's favor and the Recall dismissed.

23. Finally, Board Member Ed Burdon had resigned from the Board March 5, so any ballots voting for his recall are invalid. As such the Petition for Recall must be granted in Petitioner's favor and the Recall dismissed for his recall.

Pursuant to section 720.311(1), Florida Statutes, at the conclusion of the proceeding, the department shall charge the parties a fee in an amount adequate to cover all costs and expenses incurred by the department in conducting the proceeding. The fees paid to the department shall

become a recoverable cost in the arbitration proceeding and the prevailing party in an arbitration proceeding shall recover its costs and attorney's fees in an amount found reasonable by the arbitrator.

WHEREFORE, petitioner requests that the arbitrator enters a final order containing the following relief:

- a) Order the Respondents' request for recall of the aforementioned Directors be DENIED;
and
- b) Quash service of process of the recall ballots as argued hereinabove for failure to comply with FAC 61B-81.003(g) and Fla. Stat. 48; and
- c) Award the Petitioner costs and expenses for the necessity of this arbitration to be paid proportionately from each Owner/Respondent within ten (10) days of the date of this hearing; and if not paid within ten (10) days, assessed as a charge on each Respondent Owner's ledger/account with Petitioner; and
- d) Any other and such relief the Arbitrator deems just, proper or equitable.

DATED this 24th day of April 2026.

Submitted by



David Walker
On behalf of and as Board Member
of The Forest at Ridgewood Homeowners'
Association, Inc

/s/Jennifer A. Englert

Jennifer Englert, Esq.
The Orlando Law Group, PL
12031 Lake Underhill Rd., Suite 213
Orlando, Florida 32828
Phone: 407-512-4394
Fax : (407) 955-4654
Email: jenglert@theorlandolawgroup.com
Attorney for Petitioner

Certificate of Service

I hereby certify that a true and correct copy of the foregoing petition has been sent by U.S. Mail on this _____ day of April 2026 to the following persons :

**Owners Voting for Recall,
Larry Bassett, Designated
Homeowner's Representative
318 Boxwood Dr.
Davenport, Florida 33837**

/s/ Jennifer A. Englert

Attorney for Petitioner