

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

IN RE: PETITION FOR RECALL ARBITRATION

**THE FOREST AT RIDGEWOOD
HOMEOWNERS ASSOCIATION, INC.,**

PETITIONER,

V.

CASE NO.2026-02-9833

**OWNERS VOTING FOR RECALL,
LARRY BASSETT, DESIGNATED
HOMEOWNERS' REPRESENTATIVE
318 BOXWOOD DR., DAVENPORT,
FLORIDA 33837,**

RESPONDENT.

_____ /

**PETITIONER'S RESPONSE IN OPPOSITION TO RESPONDENT'S MOTION TO
STRIKE IMPROPER BALLOT REJECTIONS**

COMES NOW, Petitioner, The Forest at Ridgewood Homeowners Association, Inc.,
(hereinafter as the "Association") by and through the undersigned counsel and files this
Petitioner's Response in Opposition to Respondent's Motion to Strike Improper Ballot
Rejections against Respondent, Owners Voting for Recall, Larry Bassett, Designated
Homeowners' Representative, and in support thereof, states as such:

1. On or about April 27, 2026, the Association filed its Petition for Mandatory
Binding Arbitration – Recall Dispute.

2. On or about May 04, 2026, the Division filed its Order Requiring Answer to Petition.

3. On or about May 26, 2026, the Respondent provided the Association with a slew of documents (it is unknown if same were provided to the Division) identified as D1 Respondent's Answer; D2 Statement of Facts; D3 Affirmative Defenses; **D4 Motion to Strike Improper Ballot Rejections**; D5 Motion for Summary Final Order; D6 Respondent's Evidence Index (absent any of the exhibits indexed therein); D7 Certificate of Service; D8 Respondent's Proposed Final Order; D9 Respondent's Proposed Order on Evidence; D10 Respondent's Proposed Order Granting Summary Final Order; and D12 Respondent's Notice of Filing Respondent's D1-D11.

4. Respondent's Motion to Strike Improper Ballot Rejections must be denied for the following reasons.

5. For context, the total number of voting interests in Petitioner's community is 164, wherein a majority = 83 interests.

6. Petitioner received 88 recall agreements (ballots).

7. Petitioner rejected 14 of those recall agreements (ballots).

8. The Arbitrator need only confirm 6 of the 14 rejections to grant the relief sought in the Petition for Recall.

9. By way of example, 1234 Golf Course Parkway submitted two (2) ballots for the same address. Now the Arbitrator need only confirm 5 of the remaining 14 rejections to grant the relief sought in the Petition for Recall.

10. The ballot for Two Taylers Ventures is completely illegible and contains multiple marks or possibly white-outs. Now the Arbitrator need only confirm 4 of the remaining 14 rejections to grant the relief sought in the Petition for Recall.

11. The allegation at Section 3 of the Motion to Strike Improper Ballot Rejections (D4) mischaracterizes the basis for Petitioner's rejections of certain ballots founded upon "Trust ownership; LLC ownership, and "cannot verify authority".

12. Petitioner does not dispute Trusts, and business entities can own real property, however, in that instance, the individual/Trustee signing on behalf of that Trust or business entity must be **a)** identifiable and **b)** have such authority to sign as a Trustee and/or on behalf of the business organization.

13. In short, capacity matters. In order to properly and legally bind a business entity or a Trust, the person with authority to do so must sign documents properly "as (basis for authority; President, CEO, Trustee, etc...) on behalf of (business entity/Trust name here)" for that signature to bind that particular business organization/Trust.

14. Notably, 10 of the recall ballots were not properly executed by persons with authority to act on behalf of the owning business entity and/or Trust.

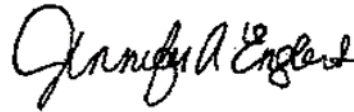
15. The recall ballot for 633 Gold Course Parkway is dated March 23, 2006. Noting this is not a date format issue, this is an improper date outside the 120 day deadline as provided for in Fla. Stat. 720.303(10)(b)(3).

16. This same defect also appears in the recall ballot for 237 Boxwood Dr wherein the date reflected appears to be 3/27/2021.

17. The Petitioner has incurred attorney fees and costs as a result of the necessity of this action and as such, seeks an award of attorney fees and costs pursuant to Fla. Stat. 720.311 and Rule 61B-80.123, FAC, to be paid by Respondent.

WHEREFORE, Petitioner requests the Arbitrator approve all rejected recall ballots for the reasons asserted in the Petition for Recall; and award Petitioner its attorney fees and costs for this matter; and for any other and such relief as the Arbitrator may deem just, proper or equitable.

Respectfully submitted on May 29, 2026.



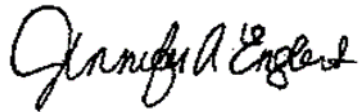
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Counsel for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 29, 2026, a true and correct copy of the foregoing has been filed with the Department of Business & Professional Regulation, Condominium Arbitration and Mediation Program via Facsimile Transmission 850-487-0870 and furnished to the following as indicated:

Keith E. Hope, Arbitrator
Office of the General Counsel
Condominium Arbitration and
Mediation Program
Dept. of Business & Regulation
2601 Blair Stone Road
Tallahassee, FL 32399-1030
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Homeowners Representative
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