

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES

IN RE: PETITION FOR BINDING ARBITRATION – HOA RECALL DISPUTE

THE FOREST AT RIDGEWOOD
HOMEOWNER'S ASSOCIATION, INC.,

Petitioner,

v.

Case No. 2026-05-5113

OWNERS VOTING FOR RECALL,

Respondent.

_____ /

**ORDER REQUIRING ANSWER and
DIRECTIONS TO ALL PARTIES**

**YOU ARE ADVISED TO CAREFULLY READ AND FULLY COMPLY WITH THE
REQUIREMENT OF THIS ORDER**

ORDER REQUIRING ANSWER

Upon preliminary review of the Petition for Binding Arbitration-Election Dispute in
a Homeowners' Associations, it is hereby

ORDERED:

1. **Respondent must file an Answer** to the enclosed Petition within **twenty
(20) days** from Respondent's receipt of this order. Respondent may also file a pleading
authorized by Rule 61B-80.111(2), Florida Administrative Code ("F.A.C."), in addition to
the Answer. **Failure to file an answer may result in the imposition of sanctions.**

2. The Answer shall:

a. be filed on DBPR Form ARB 6000-009 and must comply with the
requirements of Rule 61B-80.111, F.A.C.; and,

b. if typed, be in nothing less than 12-point type, Arial font preferred; single sided, double spaced and,

c. "admit" or "deny" every allegation of fact as stated in the petition's "Statement of Fact." All facts not specifically denied shall be deemed admitted; a general denial does not satisfy the requirements of this paragraph.

d. separately identify all facts contained in the Petition that Respondent disputes, or shall, in the alternative, state that no disputed facts exist; **and**,

e. state all defenses and objections and the facts supporting the objection or defense that Respondent may have against the allegations in the Petition; and,

f. attach all exhibits which must be sequentially numbered; and,

g. serve Petitioner with a copy of the Answer in accordance with the requirements of Rule 61B-45.010, Florida Administrative Code.

h. the defense of **selective enforcement** shall contain all examples of selective enforcement upon which the respondent depends, shall indicate the unit(s) to which each example pertains, shall identify the unit owner(s), how long the violation has existed, and shall indicate whether the board knew of the existence of the violation(s). Failure to plead selective enforcement with the specificity described above will result in a waiver of the defense. See, Rule 61B-45.019(3), Fla. Admin. Code.

i. provide an email address for the Respondent if the Respondent has email.

3. Extensions of Time: a request for an extension of time to file an Answer must include a statement that the Respondent has conferred with the Petition and the Petitioner has no objection to the extension. If granted, an extension of time will generally not be granted for more than ten (10) days from the date the Answer was initially due to be filed. Stipulations for a longer period are ineffective.

4. If a person who is not an attorney files the Answer or any subsequent pleading or paper on behalf of Respondent, that person shall file a completed DBPR Form ARB96-002 either with or before filing the Answer or any subsequent pleading or paper. An association must be represented by an attorney or other qualified representative.

ORDER WITH DIRECTIONS TO ALL PARTIES

1. No party is to make any filings until the arbitrator enters an order in response to the answer, motion in opposition or motion to dismiss.

2. All filings must be single sided, 12-point type (Arial preferred), double spaced with one-inch margins.

3. No party is to contact the arbitrator or his assistant via telephone or email. All telephone and email communications will be disregarded unless they have been expressly requested by the arbitrator.

4. All filings are to be by mail (US Mail, FedEx or UPS) or facsimile. All email filings will be disregarded unless they have been expressly requested by the arbitrator.

5. All parties are to familiarize themselves with, as applicable, and follow the following Florida Statutes and Florida Administrative Code rules:

Florida Statutes

- a. Chapter 718 for condominium disputes
- b. Chapter 720 for homeowner association disputes

Florida Administrative Code

- a. **61B-45**: Arbitration Rules of Procedure
- b. **61B-50**: Rules of Procedure Governing Recall Arbitration (Condominium)
- c. **61B-80**: Rules of Procedure Governing Recall and Election Disputes in Homeowners' Associations
- d. **61B-81**: Substantive Rules for Recalls in Homeowners' Associations.

SIGNATURE AS ATTESTATION

In accord with Rule 61B-45.004, Florida Administrative Code, each party to this arbitration who submits a signed filing to the Division, by affixing a signature is representing that, prior to filing, each case and authority cited in the document has been researched and reviewed by that individual or by the attorney representing the party and that the case or authority cited stands for the proposition of law for which it has been cited.

ANY ANSWER FAILING TO COMPLY WITH RULE 61B-45, FLORIDA ADMINISTRATIVE CODE, OR THE REQUIREMENTS OF THIS ORDER, MAY BE STRICKEN. THE FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN THE ENTRY OF AN ORDER OF DEFAULT AGAINST RESPONDENTS, AFTER WHICH THE FACTS ALLEGED IN THE PETITION SHALL BE ACCEPTED AS TRUE.

DONE AND ORDERED on August 20, 2026, at Tallahassee, Leon County, Florida.

J. A. Spejenkowski
J.A. Spejenkowski, Arbitrator
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& Mobile Homes
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