

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

Note that this form is to be used for the filing of an answer in all arbitration and mediation proceedings conducted under Chapter 720, Florida Statutes.

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

**Petitioner(s) (name of association
or homeowner filing petition),**

v.

Case No. 2026-05-5113

Owners Voting for Recall, Larry Bassett, (To be assigned by Division)

Designated Homeowners' Representative

**Respondent(s) (name of association or
homeowner named as respondent).**

ANSWER TO PETITION

Respondent shall file an answer using this form. The original answer must be filed with the arbitrator at: Division of Florida Condominiums, Timeshares and Mobile Homes, Arbitration/Mediation Section, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030, or faxed to 850.487.0870. In addition, a copy of the answer must be mailed to petitioner, petitioner's attorney, or petitioner's representative, as applicable.

1. Name, mailing address, telephone number, and e-mail address of respondent (party filing this answer):

Larry Bassett, 318 Boxwood Drive, Davenport, Florida 33837

407-519-1193 Larry@LTS.world

2. Name, mailing address, telephone number, and e-mail address of respondent's representative, if any:

If Respondent's representative is not an attorney, attach DBPR Form HOA 6000-6, QUALIFIED REPRESENTATIVE APPLICATION.

RESPONSE TO STATEMENT OF THE FACTS

State those facts from the STATEMENT OF FACTS portion of the petition that you deny. Refer to the particular paragraph in the petition that you dispute. All facts not specifically denied will be considered admitted.

(1) See Attached Addendum A

Respondent's Response to Statement of Facts

(2) _____

(3) _____

(4) _____

(5) _____

(6) _____

DEFENSES

State all defenses, including all facts supporting each defense, and all additional facts that may be relevant.

(1) See Attached Addendum B - Respondent's Affirmative Defenses

(2)

(3)

(4)

If the dispute involves your tenant, occupant, guest, etc., state the complete name and mailing address of that person, if it was not already provided in the petition for arbitration:

See Attached Addendum C Respondent's Request for Affirmative Relief

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by
or Emailed to Jennifer Englert, The Orlando Law Group,
U.S. Mail to: 12031 Lake Underhill Road, Suite 213, Orlando, Florida 32828
J.A. Spejenkowski, Arbitrator, Florida DBPR, Fax: 850-487-0870
2601 Blair Stone Rd, Tallahassee, Florida 32399-1030, on this 7th
day of September, 20 26.


Signature of each Respondent,
Respondent's attorney, or
Respondent's representative

Addendum A

Respondent's Response to Statement of Facts Case No. 2026-05-5113

Respondent, Larry Bassett, submits the following responses to the Statement of Facts contained in the Petition for Recall Arbitration. Each numbered response corresponds to the numbered paragraph in the Petition. All facts not specifically denied are admitted.

1. **Admitted.**
2. **Admitted.**
3. **Admitted.**
4. **Denied.** Respondent denies the accuracy and completeness of the list of respondents. Respondent further denies that any ballots submitted by the owners were lawfully or validly rejected by a legally constituted board quorum.
5. **Admitted.**
6. **Admitted.**
7. **Denied.** Respondent denies that there were three legally qualified, active seats on the board at the time of service. The President's seat was legally vacated on March 27, 2026 due to the cancelled annual election, and the second seat was left vacant by a March 5 resignation.
8. **Denied.** Respondent admits 88 votes were cast but denies that any of the 14 ballots were lawfully disputed or rejected. Respondent further denies that Edward Burdon was not subject to recall, as his unnoted replacement appointment was void ab initio.

9. **Denied.** Respondent denies that the next election date is unknown or a year away. The election for the President's seat was required to be held on March 27, 2026 and was unlawfully cancelled. The next members' meeting and election is required to be held in January of each year.

10. **Admitted.**

11. **Admitted.**

12. **Admitted in part, Denied in part.** Respondent admits a meeting occurred on July 24, 2026. Respondent denies that the meeting possesses any legal validity, as it was held outside the mandatory five-business-day window and lacked a legally constituted board quorum.

13. **Denied.** Respondent denies that any of the 14 listed ballots were lawfully or properly rejected. The board lacked the legal authority, factual grounds, and corporate quorum required to reject individual written agreements.

Addendum B

Respondent's Affirmative Defenses Case No. 2026-05-5113

Respondent, Larry Bassett, asserts the following affirmative defenses pursuant to §720.303(10), Florida Statutes, and Rule 61B-81.003, Florida Administrative Code. Each defense is based on statutory requirements, DBPR recall procedure, and the factual record established in Exhibits 1–20.

Defense No. 1 – Failure to Achieve Quorum Automatically Certifies the Recall

The Board did not achieve quorum at the July 24, 2026 recall-certification meeting. Under §720.303(10)(b), failure to achieve quorum results in **automatic certification** of the recall. No further action by the Board is required once quorum fails.

Defense No. 2 – The Recall Independently Succeeded by Majority Vote

Even if quorum had been achieved, the recall independently succeeded with **eighty-eight (88)** valid ballots, exceeding the statutory majority threshold of **eighty-three (83)**. The corrected total is established in Exhibit 16.

Defense No. 3 – The Board Failed to Conduct the Required Statutory Review

Rule 61B-81.003 requires the Board to individually review each written recall agreement. The July 24 transcript (Exhibit 12) shows the Board relied on a rapid six-minute scroll through approximately ninety ballots without verifying:

- parcel numbers

- signatures
- ownership
- eligibility

This failure renders the Board's rejection of ballots procedurally defective.

Defense No. 4 – The Minutes Do Not Comply with §720.303(10)(b)1(i)

The minutes of the July 24 meeting (Exhibit 11) do not include:

- vote counts
- parcel numbers for rejected ballots
- specific reasons for rejection

The minutes also state that the Board "reviewed each ballot," which is contradicted by the transcript. Non-compliant minutes invalidate the Board's rejection of ballots.

Defense No. 5 – Improper Rejection of Ballots

The Board improperly rejected ballots without statutory grounds. Exhibit 17 provides the required statutory analysis for each ballot the Board rejected and demonstrates that the corrected total is **88 valid ballots**.

Defense No. 6 – The Recall Instrument Properly Identifies Two Replacement Directors

The recall instrument identifies:

- **Sharon McDaniel** – replacement for Director Kevin Mack
- **David MacMorran** – replacement for the vacant Burdon seat

Under §720.303(10), the arbitrator must seat the replacement directors identified in the recall instrument for each recalled or vacant seat.

Defense No. 7 – Certification of Both Seats Restores Lawful Governance

Certification of both seats restores a functioning board majority capable of lawfully addressing the unfilled Walker seat created by the cancelled January annual meeting and election. This is necessary for the Association to comply with §720.303(2) and maintain a lawful governing body.

Defense No. 8 – The Board’s Rejection of Ballots Was Without Legal Authority

Because the Board lacked quorum and did not conduct a statutory review, it had **no legal authority** to reject any ballots. Any rejection made under these conditions is void.

Defense No. 9 – The Recall Must Be Certified Under §720.303(10)

Based on:

- quorum failure
- majority vote
- defective minutes
- improper ballot rejection
- statutory requirements

- DBPR recall procedure

the recall must be certified as a matter of law.

Addendum C

Respondent's Request for Affirmative Relief Case No. 2026-05-5113

Respondent, Larry Bassett, respectfully requests that the Arbitrator enter a Final Order granting the following relief pursuant to §720.303(10), Florida Statutes, and Rule 61B-81.003, Florida Administrative Code.

1. Certify the Recall Due to Failure to Achieve Quorum

The Board did not achieve quorum at the July 24, 2026 recall-certification meeting. Under §720.303(10)(b), failure to achieve quorum results in **automatic certification** of the recall.

Respondent requests that the Arbitrator enter an Order certifying the recall on this basis.

2. Certify the Recall Based on the Corrected Majority Vote

Independently of quorum, the recall succeeded with **eighty-eight (88)** valid ballots, exceeding the statutory majority threshold of **eighty-three (83)**.

Respondent requests that the Arbitrator certify the recall based on the corrected ballot total established in Exhibit 17.

3. Declare the Board's Rejection of Ballots Procedurally Defective

The Board did not conduct the required statutory review of the ballots and did not produce minutes compliant with §720.303(10)(b)1(i). Because the Board lacked quorum and did not perform a lawful review, it had **no authority** to reject any ballots.

Respondent requests that the Arbitrator declare the Board's rejection of ballots void.

4. Order Certification of Both Seats Identified in the Recall Instrument

The recall instrument identifies two replacement directors:

- **Sharon McDaniel** – replacement for Director Kevin Mack
- **David MacMorran** – replacement for the vacant Burdon seat

Under §720.303(10), the replacement directors identified in the recall instrument **must be seated** for each recalled or vacant seat.

Respondent requests that the Arbitrator certify both seats.

5. Order the Immediate Seating of the Replacement Directors

Respondent requests that the Arbitrator order the immediate seating of:

- **Sharon McDaniel**
- **David MacMorran**

as directors of The Forest at Ridgewood Homeowners' Association, Inc.

This action restores a functioning board majority capable of lawfully addressing the unfilled Walker seat created by the cancelled January annual meeting and election.

6. Grant Any Additional Relief Necessary to Effectuate Certification

Respondent requests that the Arbitrator grant any additional relief necessary to effectuate certification under §720.303(10), including any administrative directives required to ensure compliance by the Association.