RESPONDENT'S EXHIBIT 1

Case No. **2026-05-5113**

Larry Bassett, Respondent

Date: **September 7, 2026**

Title: Exhibit 1 — Blank DBPR Recall Ballot + Door-to-Door Recall Method Statement"

Exhibit 1 – Door-to-Door Recall Method Statement

I conducted the recall of the Board of Directors of The Forest at Ridgewood Homeowners' Association, Inc. by personally delivering the DBPR-approved recall ballot to each homeowner in the community. Homeowners completed, signed, and returned their ballots directly to me in person. For owners who were out of state or out of the country, I emailed the DBPR recall ballot upon request; those owners printed, signed, and returned their ballots by email. All ballots collected were signed, dated, and identified by parcel address in accordance with §720.303(10), Florida Statutes. No ballots were rejected for transmission method in either recall. A blank copy of the DBPR recall ballot used in this recall is attached.

FORM FOR HOMEOWNERS WRITTEN RECALL AGREEMENT / BALLOT

BLOCK A

This agreement is being circulated for the purpose of recalling the board directors listed below, currently serving on the board of directors at THE FOREST AT RIDGEWOOD HOMEOWNERS' ASSOCIATION, INC. (*fill in name of homeowners' association)*. Pursuant to section 720.303(10), Florida Statutes, any board director may be recalled and removed from office with or without cause by the vote or agreement in writing by a majority of all the voting interests. Rule 61B-81.003, Florida Administrative Code, governs recall by written agreement. This recall ballot may be used for one successive recall effort occurring within 120 days from the date the ballot was signed by the homeowner if the first recall effort is unsuccessful. Any revocation of this agreement must be in writing and delivered to the board prior to service of the recall agreement on the board. **THE BOARD DIRECTORS SUBJECT TO RECALL ARE LISTED BELOW. PLEASE CAST YOUR VOTE BY MARKING EITHER THE "RECALL" OR "RETAIN" BOX NEXT TO EACH BOARD DIRECTOR'S NAME.** ***(Note that these boxes cannot be pre-marked but must be filled out by the voter.)***

		RECALL	RETAIN
Name of board director	KEVIN MACK	☐	☐
Name of board director	EDWARD BURDON	☐	☐
Name of board director		☐	☐
Name of board director		☐	☐
Name of board director		☐	☐
Name of board director		☐	☐
Name of board director		☐	☐

BLOCK B

BALLOT FOR REPLACEMENT OF BOARD DIRECTORS (use only where at least a majority of the board is being recalled)

The individuals listed below have indicated their willingness to replace the recalled board directors. You may vote for these candidates by marking the box next to the candidate's name OR you may write in the name of a write-in candidate. **In any event, do not vote for more than a total of the number of directors sought to be recalled, including write-in candidates.**

		In Favor of
Name of replacement board director	SHARON MCDANIEL	☐
Name of replacement board director	DAVID MACMORRAN	☐
Name of replacement board director		☐
Name of replacement board director		☐
Name of replacement board director		☐
Name of replacement board director		☐
Name of replacement board director		☐
Write-In Candidate		☐

BLOCK C

_____ _____

Homeowner (Print name) Parcel Address

By signing this document, I affirm that I am authorized in the manner required by the governing documents to cast this vote on behalf of this parcel.

_____ _____

Homeowner(s) Signature Date signed

HOMEOWNERS' REPRESENTATIVE: The person identified below has been designated as the homeowners' representative who will receive the recall agreements, open the written agreements, tally the votes, serve copies of the agreements on the board, and receive other information on behalf of the homeowners: (*below, fill in the name and address of the homeowners' representative)*

LARRY BASSETT
318 BOXWOOD DRIVE
DAVENPORT, FLORIDA 33837

WRITTEN RECALL AGREEMENT INSTRUCTIONS

To recall and replace board directors listed on the recall agreement, please follow the steps below:

(1) In Block A on the attached form, place a checkmark or "X" on the "RECALL" line next to the name of each board director you wish to recall and remove from the board. Place a checkmark or "X" next to the board director's name on the "RETAIN" line if you are voting for the board director to remain on the board. Note that ballots may not be pre-marked. The voter must fill in the recall or retain boxes.

(2) Place a checkmark or "X" next to the names of the candidates in Block B who you wish to replace the recalled board directors **OR** you may write in your own choices. **DO NOT VOTE FOR MORE THAN A TOTAL OF THE NUMBER OF DIRECTORS SOUGHT TO BE RECALLED. This includes voting for persons listed, write-in votes, or a combination.** The ballot for replacement board directors in Block B should be included and filled in on the written agreement only if a majority or more of the board directors are sought to be recalled. Where a majority or more of the board directors are recalled, the homeowners have the right to name replacement board directors. If less than a majority of the board is recalled, the remaining board directors have the right to appoint replacements.

(3) In Block C, print your name and address of the parcel (property) subject to the homeowners' association in the space designated. Sign the agreement in the space designated. This will affirm that you are authorized to cast the vote, in the manner required by the documents. If your parcel is owned by more than one person, your documents may require that a voting certificate be filed with the association designating which owner has the authority to cast votes on behalf of the parcel. If your documents require a voting certificate and one has not been filled out and delivered to the association, your vote may be rejected.

(4) Return the executed agreement to the homeowners' representative named in the agreement in Block C.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Recall Procedures for Homeowners' Associations
Division of Florida Condominiums, Time Shares and Mobile Homes
Arbitration Section
2601 Blair Stone Road
Tallahassee, Florida 32399-1030

Recall Guide for Homeowners Seeking to Recall Members of Their Board of Directors.

INTRODUCTION

This guide is intended to provide a general overview of the process for recalling members of the board of directors of a homeowners' association. The laws and rules governing such recalls are subject to change. Therefore, before starting a recall, a homeowner should review the most current laws and rules.

Section 720.303(10)((a)1. of the Florida Statutes provides that a member or members of the a homeowners' association's board of directors may be removed by a vote of the majority of the association's voting interests. The statute also provides that the recall may be without cause. This means that the homeowners seeking the recall do not have to provide a reason for recalling a director. The homeowners simply have to follow the procedures of the statute and applicable administrative rules. Homeowners may recall a member or members of their board by a vote at homeowner meeting or by written recall agreement.

The statues and administrative rules applicable to recalls may be found at www.myfloridalicense.com/dbpr/lsc/statutes.html.
Additional information and resources may be found at the arbitration section's homeowners' association arbitration website:
www.myfloridalicense.com/dbpr/lsc/homeowners.html.

RECALL BY VOTE AT A MEETING

If permitted by the governing documents, Homeowners may recall board members by a vote taken during a meeting.[1] The procedural requirements for a recall at a meeting are challenging and complex. Therefore, a recall at a meeting is seldom successful and owners are strongly discouraged from attempting a recall in this manner even if the governing documents permit a recall at an owner meeting.[2] Therefore, this guide will focus on recall by written agreement.

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[1] Fla. Stat. 720.303(10)(c)1.

[2] Specific procedural requirements for this type of recall may be found in Rule 61B-81.002 of the Florida Administrative Code.

WRITTEN RECALL AGREEMENT

The requirements for a recall by written agreement are contained in Rule 61B-81.003 of the Florida Administrative Code.

A "written recall agreement" simply refers to separate recall ballots signed by unit owners that are served together on the association. It is highly recommended that the Division's approved sample recall ballot be used. It may be found at www.myfloridalicense.com/dbpr/lsc/documents/recall_agreement_ballot.pdf.[3] When filled out as indicated, the Division's form ballot will be accepted by an arbitrator as meeting the technical requirements found in the applicable statute and rule regarding the form of the ballot. This guide assumes that the Division's form ballot is being used.

The Homeowner Representative

The homeowners[4] should choose a person to serve as their representative. The homeowner representative coordinates the recall effort. If the board challenges the recall and petitions the Division for recall arbitration, the homeowner representative will have an opportunity to respond to the petition for arbitration filed by the board. The homeowners should choose someone who is accessible and lives in the development, will accept certified mail from the Division, and is willing to commit himself or herself to the task of coordinating the recall effort and defending the recall effort. This individual does not need to be an attorney, but should be someone who is familiar with the laws and procedures relating to recalls, and who is willing to become involved. Of course, the homeowners may choose to hire, at their own expense, an attorney to represent them.

The Recall Ballot

Use of the Division's approved recall form ballot will help homeowners to avoid many of the pitfalls and errors made in attempted recalls. The form recall ballot consists of three parts.

Block A of the recall ballot contains an introductory paragraph stating that the purpose of the agreement is to recall board members followed by a brief description of the applicable statutes and administrative rules. A blank space is provided for the association's name. It is important to make certain that the association's name is correct in order to avoid confusion.

The introductory paragraph is followed by the area where the voter votes to recall or retain board members. There are blank spaces provided for listing the names of the board members whose recall is sought. Although not required, the homeowner

[3] The recall ballot may also at times be referred to as the recall agreement.

[4] "Homeowners" is used throughout this document to refer to the homeowners seeking the recall.

representative or other people helping to coordinate the recall should print the names of the board members whose recall is sought. Care should be taken to ensure correct spelling of names in order to avoid possible confusion. It is not necessary to list all the current board members, just those whose recall is sought. The form ballot provides five spaces. If the recall involves more than five board members, the form may be modified to add additional board members.

Next to each board member's name are "recall" and "retain" boxes. By marking one of these boxes, the voter chooses either to recall or to retain the individual. It is important that the voter choose to either recall or retain (not recall) each director. **The marking of these boxes must be performed by the voter. If someone other than the voter pre-marks the recall/retain boxes, the ballot will be deemed invalid.**[5]

Block B of the recall ballot provides for the vote of replacement board members to fill the vacancies created by the recall. **This portion of the ballot should only be completed if the recall seeks to remove a majority or more of the board members.**[6] There should be at least as many replacement board members as board members whose recall is sought. This part of the ballot consists of an introductory paragraph followed by blank spaces to list replacement board member candidates. As with the recall vote, the voter must personally mark the voting box. If more replacement candidates are needed than spaces provided on the form ballot, additional spaces may be added as necessary. It should be noted that if the ballot is modified to add more spaces, it must include a space for a write-in candidate.

The replacement candidates should be persons willing to serve on the board and print these persons' names on the ballot. Ensure that the replacement candidates are eligible to serve on the board. A person might not be eligible to serve on the board for various reasons, for example, the governing documents require that a director be an owner.

Block C of the recall ballot provides spaces for the voter's printed name, signature, unit number and the date the ballot was signed. When signing the ballot, the owner should sign his or her name as listed in the official association roster. For clarity, the name listed on the association's official member roster should be used.

The person signing the ballot must be eligible to cast a vote on behalf of the unit. Typically, condominium governing documents restrict voting to owners. Ballots may be rejected in cases where the ballot was signed by a non-owner spouse or tenant. Additionally, if the voter claims to be a trustee of a trust that owns a unit or to hold a power of attorney permitting the person to vote on behalf of the unit, if not already on file

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[5] If the voter is physically incapable of completing a ballot due to a disability, then it may be completed by another person at the immediate direction of voter with a notation to that effect.

[6] Where the recall results in the recall of at least a majority of the members of the board, the vacancies created by the recall are filled by the homeowners voting in favor of the recall. If the recall results in the recall of less than a majority of the members of the board, then the vacancies created by the recall may be filled by the remaining board members. Fla. Stat. § 720.303(10)(e).

with the association, a copy of the documents establishing the person's authority to vote on behalf of the unit needs to be provided to the association either prior to the service of the written recall agreement or attached to the ballot when the written agreement is served on the board. Where the association has suspended an owner's right to vote for nonpayment of regular assessments that are delinquent more than 90 days,[7] after proper notice and before the recall is served, a recall ballot signed by the owner will be invalid.

Block C also provides space for the homeowner representative to list his or her contact information. This portion of the ballot should be completed by the homeowner representative before the ballots are distributed to the members. It is important because it lets voters know to whom to return completed ballots. It also is important because should the association fail to certify the recall and file for recall arbitration with the Division, the Division will need to know how to contact the homeowner representative so that the interests of the homeowners voting in favor of the recall can be represented.

Voting Certificates

A voting certificate is a document which designates one of the record title owners (or the corporate, partnership, or entity representative) who is authorized to vote on behalf of a parcel that is owned by more than one owner. Some governing documents require voting certificates. In such a case, a recall ballot might be rejected if the owners of the parcel do not have voting certificate on file with association. Therefore, before serving the recall agreement on the association, it is important to make certain that owners have voting certificates on file where required.

Service of the Written Recall Agreement

Once a sufficient number of ballots is collected, the ballots are to be served on the association together, forming the written recall agreement. It is typical that some ballots will be defective. Therefore, as many ballots as possible should be collected. Additional ballots may not be added to the recall effort after service of the written recall agreement. The written recall agreement may be served by certified mail or by personal service on any officer of the association, the association manager, a board member, or the association's registered agent.[8]

Board Meeting

The association's board of directors must hold a duly noticed meeting within five full business days after service of the written recall agreement to determine whether to certify or not to certify the recall. If the recall of a board member is certified, that board member is removed from office. Then, if a majority of the board members are recalled (more than half of the board members) replacement candidates elected by the

[7] Fla. Stat. 720.305(3)
[8] Fla. Admin. Code R. 61B-81.003(1)(g)

homeowners voting in favor of the recall are seated in their places. If less than a majority of the board members are recalled, the remaining board members fill the vacancies created by the recall by appointing board members of their choice. [9]

Recall Arbitration

If at the board meeting, the board fails to certify the recall as to any board member named in the recall agreement, the association must file a petition for recall arbitration with the Division within five full business days.[10] The arbitration petition will be assigned to one of the Division's arbitrators.[11] Arbitration is an alternative to a court proceeding where a neutral third person, the arbitrator, considers the facts and arguments presented by the parties and renders a decision.

After reviewing the petition, the arbitrator may issue an order requiring the respondent the homeowners voting in favor of the recall (the respondent) to file an answer. The order requiring answer and copy of the petition and its attachments will be served on the homeowner representative by certified mail.

The order requiring answer directs the respondent to file an answer within a certain number of days. The answer should be filed by the homeowner representative or an attorney employed on behalf the homeowners voting in favor of the recall. If the homeowners disagree with the facts and reasons for not certifying the recall stated in the petition, the homeowner representative must file an answer to the petition using the Division answer form, DBPR for HOA 6000-9. This form may be found at: www.myfloridalicense.com/dbpr/lsc/documents/60009AnswertoPetition020305.pdf. A copy of the answer must be provided to the association at the time the answer is filed with the arbitrator. If no answer is filed, the arbitrator will presume that the facts stated in the petition are true and that the attachments to the petition are accurate.

After an answer is filed, the arbitrator will review it to determine if there are any disputed issues. If there are disputed issues, a hearing is held and each party is given an opportunity to present evidence through witnesses and exhibits. If there are no disputed issues, the arbitrator will decide the case based on the assertions in the petition for arbitration, the answer, and applicable law. The arbitrator also may issue orders requesting additional information or documentation from a party. It is important to respond to the arbitrator's orders within the time given in the order. Failure to comply with an order might result in a sanction against the noncompliant party. If a party needs additional time to respond to the order requiring answer or any other order, such request must be made in writing to the arbitrator. A copy of the request must be provided to other party at the time the request is filed with the arbitrator.

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[9] §720.303(10)(e).., Fla. Stat. & Fla. Admin. Code R. 61B-81.003((3)(a)3.
[10] §720.303(10)(d) & & Fla. Admin. Code R. 61B-81.003(3)(b)1.
[11] The Division employs full-time arbitrators who are attorneys.

The arbitrator's final decision as to whether the recall should or should not be certified is presented in the form of written order, a copy of which is provided to both parties' representatives.

Recall arbitration proceedings are conducted on an expedited basis. Therefore, the parties should be prepared to proceed at a fast pace.

What Happens if The Association Fails to Hold a Meeting or Fails to File for Recall Arbitration?

Should the association fail to timely hold a meeting to consider the recall or file a petition for recall arbitration as required by law, the recall is effective.[12] However, if board members fail to follow the law and refuse to vacate their positions, individual homeowners may have to petition for arbitration in order to give the recall effect and remove board members.[13] To do so, a homeowner must file for arbitration using the mandatory binding arbitration petition DBPR form HOA 6000-004. A copy of this form may be found at: www.myfloridalicense.com/dbpr/lsc/documents/60004Petition--RecallDispute020305.pdf. The petition must be filed within 60 days after the expiration of the applicable 5-full-business-day period.[14]

The petition must be accompanied by a $200.00 filing fee. It is important to understand that where the individual homeowner file the petition, the homeowner will be liable for half of the costs incurred by the Division for arbitrating the dispute.[15] Additionally, the party that wins the arbitration is entitled to recover its reasonable attorney's fees and costs from the opposing party.

Board Member Challenging Certification of Recall

A board member who has been recalled may file a petition challenging the validity of the recall.[16] To do so, the board member must file for arbitration using the mandatory binding arbitration petition DBPR form ARB 6000-004. A copy of this form may be found at:www.myfloridalicense.com/dbpr/lsc/documents/60004Petition--RecallDispute020305.pdf. The petition must be filed within 60 days after the recall is deemed effective and must be accompanied by a $200.00 filing fee. It is also important to understand that where an individual board member files the petition, the party that wins the arbitration is entitled to recover its reasonable attorney's fees and costs from the opposing party.

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[12] §720.303(10)(f),Fla. Stat. . & Fla. Admin. Code R. 61B-80.102(6)
[13] Fla. Admin. Code R. 61B-80.102(1)
[14] Section 720.303(10)(g)., Fla. Stat.
[15] Fla. Admin. Code R. 61B-80.124
[16] Section 720.303(10)(k)., Fla. Stat.

Normally Scheduled Annual Election

No petition involving a recall dispute, whether filed by an association, a homeowner, or a board member, may be accepted by the Division when there are 60 or fewer days until the scheduled reelection of the board member sought to be recalled or when fewer than 60 days have elapsed since the election of the board member sought to be recalled.[17]

[17] Section 720.303 (10)(l), Fla. Stat.

Homeowner FAQ Sheet

Clear, neutral answers to common questions

Q: Is this recall legal?

Yes. It follows Florida Statute 720.303(10) and the DBPR's official recall procedures.

Q: Why is there only one representative?

Florida law requires a single point of contact for custody of ballots, service of the packet, and communication with the DBPR.

Q: Why was Larry chosen?

Because he is a **State-licensed Community Association Manager**, trained in HOA law and procedure. Using a licensed professional ensures the recall is handled correctly.

Q: Does this mean Larry is running the recall?

No. The recall is a community effort. Larry is simply fulfilling the legal role required by statute.

Q: Are the volunteers part of the recall leadership?

No. They are only helping distribute and collect ballots.

Q: What happens after I sign?

Your ballot is logged, secured, and delivered to the representative. Once the required number is reached, the packet is served on the board.

Q: Can the board retaliate against me for signing?

No. Florida law prohibits retaliation for participating in HOA governance activities.

Q: What if the board challenges the recall?

The DBPR will review the recall. The representative handles all communication with the DBPR.

Q: Is my signature confidential?

Ballots become part of the recall packet, which the board receives. They are not posted publicly.

RESPONDENT'S EXHIBIT 2

Case No. **2026-05-5113**

Larry Bassett, Respondent

Date: **September 7, 2026**

Title: Process Server Affidavit – July 24, 2026

RETURN OF SERVICE

IN THE CIRCUIT/COUNTY COURT OF THE 13 JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA

Larry Bassett
Plaintiff/Petitioner

Case Number: _____

v.
HOA - The Forest at Ridgewood Homeowner Association, In
Defendant/Respondent

Documents to be Served: Summon & Complaint

VERIFIED RETURN OF SERVICE

I received the process on the 20 day of July, 20 26 at 11:50 o'clock A .m.
I served the process on the 20 day of July, 20 26 at 2:55 o'clock P .m. at the following location

1801 N. Highland Ave. Tampa FL 33602
Address/ City/County and State

and served Bush Ross Registered Agent Service
Name of Person Served

_____ **INDIVIDUAL SERVICE** - Fla. Stat. §48.031(1)(a) - By delivering to the person named above a true copy of the process, with the date and hour of service endorsed thereon by me, along with a copy of the complaint, petition, or other initial court document.

_____ **SUBSTITUTE SERVICE** - By leaving a true copy of the process, with the date and hour of service endorsed thereon by me, along with a copy of the complaint, petition, or other initial pleading or court document, to the person named above as the:

_____ Co-Resident at the usual place of abode who is 15 years of age or older - Fla. Stat. §48.031(1)(a)
_____ Spouse as long as within county, spouse live together and spouse agrees to be served - Fla. Stat. §48.031(2)(a)
_____ Person in Charge - Fla. Stat. §48.031(2)(b) _____
_____ Partner of a partnership - Fla. Stat. §48.061(1)
_____ Person in Charge at Private Mailbox - Fla. Stat. §48.031(6)

✓ **CORPORATE SERVICE** - By delivering a true copy of this process, with the date and hour of service endorsed thereon by me, along with a copy of the complaint, petition, or other initial pleading or court document to the person named above as the:

_____ Highest Ranking Officer - Fla. Stat. §48.081(5) _____
✓ Registered Agent of the within named corporation or employee of Registered Agent - Fla. Stat. §48.081(3)(a) and §48.091
✓ Employee of the within named corporation at said corporation's place of business because service could not be made on the registered agent for failure to comply with Fla. Stat. §48.091 Sandra Kai Hightcher

_____ **POSTED SERVICE** (Landlord-Tenant Only) - By attaching a true copy of this process with the date and hour of service endorsed thereon by me, together with a copy of the complaint of petition, to a conspicuous place on the property described within after making two (2) attempts not less than six (6) hours apart in that the tenant could not be found and there was no person residing therein, fifteen (15) years of age or older upon whom service could be made.

First Attempt: 7/20/26 @ 2:55 PM Date and Time
Second Attempt: _____ Date and Time

The following is a physical description of the person upon whom process was executed:

_____

The following is a descriptive narrative (comments) of the manner of execution:

I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which this service was made.

Subscribed and sworn to before me by the affiant who is personally known to me.

Sahaley Rogers
Notary Public

7/20/2026
Date

04/14/2029
Commission Expires

SAHALEY ROGERS
Notary Public
State of Florida
Comm# HH664208
Expires: 4/14/2029

Delmani Reid 7/20/26

PROCESS SERVER # 6005919
Appointed in accordance with State Statutes

BUSH|ROSS
ATTORNEYS AT LAW

Outlook

Served

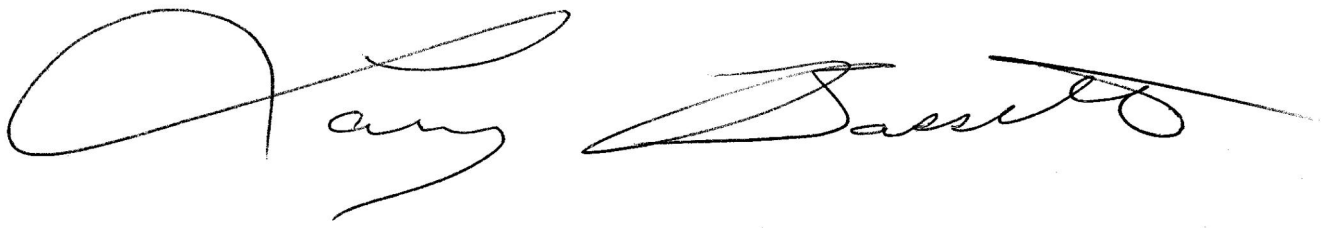
From Delmarie Reid <delmariereid35@gmail.com>
Date Mon 7/20/2026 3:09 PM
To Larry@lts.world <Larry@lts.world>

3 attachments (9 MB)
IMG_6188.jpeg; IMG_6189.jpeg; IMG_6187.jpeg;

Hello
July 20, 2026 at 2:55 PM Server got to the address. The documents were given to Sandra last name HIGHTCHER. She is the receptionist and she was called and told to take the documents. she is the employee within the corporation. Please see pictures.

Thanks
Delmarie Reid
863.537.0458

On Mon, Jul 20, 2026 at 11:50 AM <Larry@lts.world> wrote:

> I could not get this to send! Here is a link to my file on the cloud.
>
> Forest at Ridgewood Recall
>
> Attached are the files to be delivered to the correct delivery address is:
>
> **Registered Agent Name & Address**
>
> Bush Ross Registered Agent Services, LLC
>
> 1801 N. Highland Ave
> Tampa, FL 33602
>
> Respectfully,
>
> Larry Bassett
>
> 318 Boxwood Dr.
>
> Davenport, Florida 33837-5500
>
> (407) 519-1193
>
> Larry@LTS.world
>
> Kind Regards,
>
> 

Larry Bassett

407-519-1193 Office

330-835-7035 Cell

Larry@LTS.world

318 Boxwood Dr, Davenport, FL 33837

LTS.world

RETURN OF SERVICE

IN THE CIRCUIT/COUNTY COURT OF THE [illegible] JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA

Larry Bassett
Plaintiff/Petitioner
v.
HOA - The Forest at Ridgewood Homeowner Association, In
Defendant/Respondent

Case Number: _____

Documents to be Served: Summon & Complaint

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I served the process on the 20 day of July, 20 26 at 2:55 o'clock P.m. at the following location
1801 N. Highland Ave. Tampa, FL 33602
Address/ City/County and State
and served Bush Ross Registered Agent in the following manner:
Name of Person Served Served

_____ **INDIVIDUAL SERVICE** - Fla. Stat. §48.031(1)(a) - By delivering to the person named above a true copy of the process, with the date and hour of service endorsed thereon by me, along with a copy of the complaint, petition, or other initial court document.

_____ **SUBSTITUTE SERVICE** - By leaving a true copy of the process, with the date and hour of service endorsed thereon by me, along with a copy of the complaint, petition, or other initial pleading or court document, to the person named above as the:

_____ Co-Resident at the usual place of abode who is 15 years of age or older - Fla. Stat. §48.031(1)(a)
_____ Spouse as long as within county, spouse live together and spouse agrees to be served - Fla. Stat. §48.031(2)(a)
_____ Person in Charge - Fla. Stat. §48.031(2)(b) _____
_____ Partner of a partnership - Fla. Stat. §48.061(1)
_____ Person in Charge at Private Mailbox - Fla. Stat. §48.031(6)

✓ **CORPORATE SERVICE** - By delivering a true copy of this process, with the date and hour of service endorsed thereon by me, along with a copy of the complaint, petition, or other initial pleading or court document to the person named above as the:

_____ Highest Ranking Officer - Fla. Stat. §48.081(5) _____
_____ Registered Agent of the within named corporation or employee of Registered Agent - Fla. Stat. §48.081(3)(a) and §48.091
✓ Employee of the within named corporation at said corporation's place of business because service could not be made on the registered agent for failure to comply with Fla. Stat. §48.091 Sandra Kay Hightcher

_____ **POSTED SERVICE** (Landlord-Tenant Only) - By attaching a true copy of this process with the date and hour of service endorsed thereon by me, together with a copy of the complaint of petition, to a conspicuous place on the property described within after making two (2) attempts not less than six (6) hours apart in that the tenant could not be found and there was no person residing therein, fifteen (15) years of age or older upon whom service could be made.

First Attempt: 7/20/26 @ 2:55 PM Date and Time
Second Attempt: _____ Date and Time

The following is a physical description of the person upon whom process was executed:

_____

The following is a descriptive narrative (comments) of the manner of execution:

I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which this service was made.

Subscribed and sworn to before me by the affiant who is personally known to me.

Sahaley Rogers
Notary Public

7/20/2026 04/14/2029
Date Commission Expires

SAHALEY ROGERS
Notary Public
State of Florida
Comm# HH664208

Delmani Reid 7/20/26

PROCESS SERVER # 6008919
Appointed in accordance with State Statutes

RESPONDENT'S EXHIBIT 3

Case No. **2026-05-5113**

Larry Bassett, Respondent

Date: **September 7, 2026**

Title: Governing Documents (Relevant Sections Only)

BY - LAWS OF
THE FOREST AT RIDGEWOOD HOMEOWNERS ' ASSOCIATION, INC.

ARTICLE I

Name and Location : The name of the corporation is THE FOREST AT RIDGEWOOD HOMEOWNERS' ASSOCIATION, INC.
The principal office of the corporation is located at 318 Boxwood Dr, Davenport, FL 33837-5500. Meetings of members and directors may be held at such places within the state of Florida, County of Polk, as shall be designated by the Board of Directors.

ARTICLE II: DEFINITIONS

Section 1. "Association" shall mean and refer to THE FOREST AT RIDGEWOOD HOMEOWNERS' ASSOCIATION, INC., its successors and assigns.
Section 2. "Property" shall mean and refer to that certain real property described in the Association's Declaration, and such additions thereto as may hereafter be brought within the jurisdiction of the Association.
Section 3. "Common Area" shall mean all the real property owned by the Association for the common use and enjoyment of the Owners. The Common Area shall include all those areas defined as such in the Association's Articles of Incorporation (hereafter "Articles").
Section 4. "Lot" shall mean and refer to any plot of land shown upon any recorded subdivision map of the Properties except for the Common Area.
Section 5. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot which is part of the Property, but excluding those having such interests merely as security for the performance of an obligation.
Section 6. "Member" shall mean and refer to those persons entitled to membership as provided in the Articles.
Section 7. "Declaration" shall mean and refer to the Declaration of Covenants, Conditions, and Restrictions for the Association applicable to the Properties recorded in the Public Records of Polk County, Florida and as amended from time to time.
Section 8. All other capitalized terms used in these By - Laws shall have the same meanings and definitions as set forth in the Association's Declaration.

ARTICLE III: MEETINGS OF MEMBERS

Section 1. Annual Meetings. The Association shall hold an annual meeting of the members during January of each year. The day and time of that meeting shall be established by the Directors and each may change from time - to - time.
Section 2. Special Meetings. Special meetings of the members may be called at any time by the President or by the Directors, or upon written request of ten (10%) percent of the voting interest of the Association.
Section 3. Notices of Meetings. Written notice of each meeting of the members shall be given by, or at the direction of, the secretary or person authorized to call the meeting, by mailing a copy of such notice, postage prepaid, at least fourteen (14) days before such a meeting to each member entitled to vote thereat, addressed to the member's address last appearing on the books of the Association. Such notice shall specify the place, day, and hour of the meeting. Electronic notification is recommended as well.
Section 4. Quorum. The presence at the meeting of members entitled to cast, or of proxies

entitled to cast, forty percent (40 %) of the voting interests of the Association shall constitute a quorum for any action except as otherwise provided in the Articles, the Declaration, or these By-Laws. If the required quorum is not present, another meeting may be called by subject to the notice requirements of Section 3, and the required quorum at the subsequent meeting shall be one-half (1/2) of the required quorum at the preceding meeting. No such subsequent meeting shall be held more than sixty (60) days following the preceding meeting.
Section 5. Proxies. At all meetings of members, each member may vote in person or by proxy. All proxies shall be in writing and filed with the secretary prior to the meeting. Every proxy shall be revocable and shall automatically cease upon conveyance by the member of their Lot.

ARTICLE IV: BOARD OF DIRECTORS: SELECTION: TERM OF OFFICE

Section 1. Number. The affairs of the Association shall be managed by the Directors, who need to be members of the Association. There shall be at least three (3) Directors, but not more than seven (7) Directors, as determined from time to time by the Directors. The number of Directors cannot be the even numbers of four (4) or six (6).
Section 2. Term of Office. The Board's Directors shall serve a three (3) year term; vacancies may be appointed by the Directors or by the President with approval of the Directors. Terms will be staggered to encourage continuity of Board leadership.
Section 3. Removal. Any Director may be removed from the Board, with or without cause, by a majority vote of the remaining Directors. In the event of death, resignation or removal of a Director, his successor shall be selected by the remaining members of the Board and shall serve for the unexpired term of his predecessor. Board members who miss three (3) regular meetings of the Directors without cause, shall be replaced promptly.
Section 4. Compensation . No Director shall receive compensation for any service he may render to the Association. However, any Director may be reimbursed for his actual expenses incurred in the performance of his duties.
Section 5. Action Taken Without a Meeting. The Directors shall have the right to take any action in the absence of a meeting which they could take at a meeting by obtaining the written approval of all Directors. Any action so approved shall have the same effect as though taken at a meeting of the Directors.

ARTICLE V: NOMINATION AND ELECTION OF DIRECTORS

Section 1. Nomination. Nomination for election to the Board of Directors shall be made by a Nominating Committee. Nominations may also be made from the floor at the annual meeting of the members.
Section 2. Election. Election to the Board of Directors shall be by secret written ballot. At such election the members or their proxies may cast, in respect to each vacancy, as many votes as they are entitled to exercise under the provisions of the Articles. The persons receiving the largest number of votes shall be elected. Cumulative voting is not permitted.

ARTICLE VI: MEETING OF DIRECTORS

Section 1. Regular Meetings. Regular meeting of the Directors shall be held quarterly, at such place and hour as may be fixed from time to time by resolution of the Board.
Section 2. Special Meetings. Special meetings of the Directors shall be held when called by the President, or by any two (2) Directors after not less than three days of notice to each Director.
Section 3. Quorum. A majority of the number of Directors shall constitute a quorum for the

transaction of business. Every act or decision done or made by a majority of the Directors present at a duly held meeting at which a quorum is present shall be regarded as the act of the Board.

ARTICLE VII: POWERS AND DUTIES OF THE BOARD OF DIRECTORS

Section 1. Powers. The Board of Directors shall have power to:

a. Adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the members and their guests thereon, and to establish penalties for the infraction thereof.

b. Suspend the voting rights and right to use of the recreational facilities of a member during any period in which such member shall be in default in the payment of any assessment levied by the Association. Such rights may also be suspended after notice and hearing, for a period not to exceed sixty (60) days for infraction of published rules and regulations.

c. Exercise for the Association all powers, duties and authority vested in or delegated to the Association and not reserved to the membership by other provisions of these By-Laws, the Articles, or the Declaration.

Section 2. Duties. It shall be the duty of the Board of Directors to:

a. Cause to be kept a complete record of all its acts and Association affairs and to present a statement thereof to the members at the annual meeting of the members, or at any special meeting when such a statement is requested in writing by one-fifth (1/5) of the voting interests of the Association.

b. Supervise all officers, agents, and employees of the Association, and to see that their duties are properly performed.

c. As more fully provided in the Declaration, to:

i. Fix the amount of the annual assessment against each Lot at least thirty (30) days in advance of each annual assessment period.

ii. Send written notice of each assessment to every Owner subject thereto at least thirty (30) days in advance of each annual assessment period.

iii. File a claim of lien against any property for which assessments are not paid within sixty (60) days after the due date or to bring action at law against the owner personally obligated to pay the same.

d. Issue or to cause an appropriate officer to issue, upon demand by any member or their designated agent, a certificate setting forth whether any assessment has been paid. A reasonable charge may be made by the Association for the issuance of these certificates. If a certificate states an assessment has been paid, such certificate shall be conclusive evidence of such payment.

e. Procure and maintain adequate liability and hazard insurance on property owned by the Association.

f. Cause all officers or employees having fiscal responsibilities to be insured, as it may deem appropriate.

g. Cause the Common Area to be maintained.

h. Take any and all actions necessary to carry out the functions of the Association and enforce the Declaration.

ARTICLE VIII: OFFICERS AND THEIR DUTIES

Section 1. Enumeration of Officers. The officers of the Association shall be a President and

Vice-President, who shall at all times be members of the Board; and a secretary/Treasurer, and such other officers as the Board may from time to time by resolution create, who are not required to be members of the Board.

Section 2. Election of Officers. The election of officers shall take place at the first meeting of the Board following each annual meeting of the members.

Section 3. Term. The officers of the Association shall be elected annually by the Board and each shall hold office for one (1) year unless he shall sooner resign, or shall be removed, or otherwise disqualified to serve.

Section 4 Special Appointments. The Board may elect such other officers as the affairs of the Association may require, each of whom shall hold office for such period, have such authority, and perform such duties as the Board may, from time to time determine.

Section 5. Resignation and Removal. Any officer may be removed from office with or without written cause by the Board. Any officer may resign at any time giving written notice to the Board, the President or the Secretary. Such resignation shall take effect on the date of receipt of such notice or at any time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 6. Multiple Offices. The offices of Secretary and Treasurer may be held by the same person. No person shall simultaneously hold more than one of any of the other offices except in the case of special offices created pursuant to Section 4 of this Article.

Section 7. Duties. The duties of the officers are as follows:

President

The President shall preside at all meetings of the Board; shall see that orders and resolutions of the Board are carried out; shall sign all leases, mortgages, deeds and other written instruments and shall co-sign promissory notes.

Vice President

The Vice President shall act in the place and stead of the President in the event of his absence, inability or refusal to act, and shall exercise and discharge such other duties as may be required of him by the Board.

Secretary/Treasurer

The Secretary/Treasurer shall record the votes and keep the minutes of all meetings and proceedings of the Board and of the members; keep the corporate seal of the Association; serve notice of meeting of the Board and of the members; keep appropriate current records showing members of the Association together with their addresses. He/she shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by resolution of the Directors; shall sign all checks and co-sign promissory notes of the Association; keep proper books of account; cause an annual audit of the Association books at the completion of each fiscal year; and shall prepare an annual budget and a statement of income and expenditures to be presented to the membership at its regular annual meeting, and deliver a copy of each to the members, and shall perform other such duties as required by the Board.

ARTICLE IX: COMMITTEES

The Board of Directors shall appoint other committees as deemed appropriate in carrying out its purpose.

ARTICLE IX: BOOKS AND RECORDS

The books, records and papers of the Association shall, during reasonable business hours, be

subject to inspection by any member. The Declaration, the Articles, the By-Laws and the Rules-In-Effect of the Association shall be available for inspection by any member at the principal office of the Association, where copies may be purchased at a reasonable cost.

ARTICLE XI: ASSESSMENTS

As more fully provided in the Declaration, each member is obligated to pay the Association's annual and special assessments which are secured by a continuing lien upon the property against which assessment is made. Any assessments that are not paid when due shall be delinquent. If the assessment is not paid within thirty (30) days after the due date the assessment shall bear interest from the date of delinquency at the rate as stated in the Declarations and the Association may bring an action at law against Owner personally obligated to pay the same of foreclosure the lien against the property and interest, costs, and reasonable attorney's fees of any such action shall be added to the amount of such assessment. No Owner may waiver or otherwise escape liability for the assessments provided for herein by nonuse of the Common Area or abandonment of his Lot.

ARTICLE XII: CORPORATE SEAL

The Association shall have a seal in circular form having within its circumference the words: THE FOREST AT RIDGEWOOD HOMEOWNERS ASSOCIATION, INC.

ARTICLE XIII: AMENDMENTS TO THESE BY-LAWS

Amendments or restating of these Articles shall be proposed and adopted in the following manner:

Section 1: Notice- Notice of the subject matter of a proposed amendment or restating shall be included in the notice of any meeting at which a proposed amendment or restatement is considered.

Section 2: Resolution- A resolution for the adoption of a proposed amendment or restating may be proposed either by the Directors or by twenty percent (20%) of the voting interest of the Association. Directors and members not present in person or by proxy at the meeting to consider the amendment or restating may express their approval in writing, provided such approval is delivered to the Secretary prior to such meeting. A resolution adopting a proposed amendment or restating must bear the approval of not less than twenty percent (20%) of the voting interests of the Association.

Section 3: Approval- No amendment or restating shall make any changes in the qualifications for membership nor the voting rights of members without approval in writing by all members and the joinder of all record owners of mortgages upon the properties. No amendments or restating shall be made that conflict with the Declarations or the laws of the State of Florida.

ARTICLE XIV: CONFLICTS OF ASSOCIATION GOVERNING DOCUMENTS

In the case of any conflict between the Declaration and these By-Laws, the Declaration shall prevail; in the case of any conflict between these By-Laws and the Articles, the Articles shall prevail; in the case of any conflict between the Rules-In-Effect and these By-Laws, these By-Laws shall prevail.

ARTICLE XV: MISCELLANEOUS

The fiscal year of the Association shall begin on the first day of January and end on the 31st day

of December of every year.

RESPONDENT'S EXHIBIT 4

Case No. **2026-05-5113**

Larry Bassett, Respondent

Date: **September 7, 2026**

Title: Property Appraiser Records (Ownership Verification)

Parcel Details: 27-26-28-706440-000140

Owners *Recently purchased this property? Click here.*

BEUGEL TIMOTHY	50%
BEUGEL TARA	50%

Mailing Address *(Address Change form)*

217 BOXWOOD DR
DAVENPORT FL 33837-5549

Physical Street Address *Why postal city and municipality? Click here.*

217 BOXWOOD DR

Postal City and Zip

DAVENPORT FL 33837

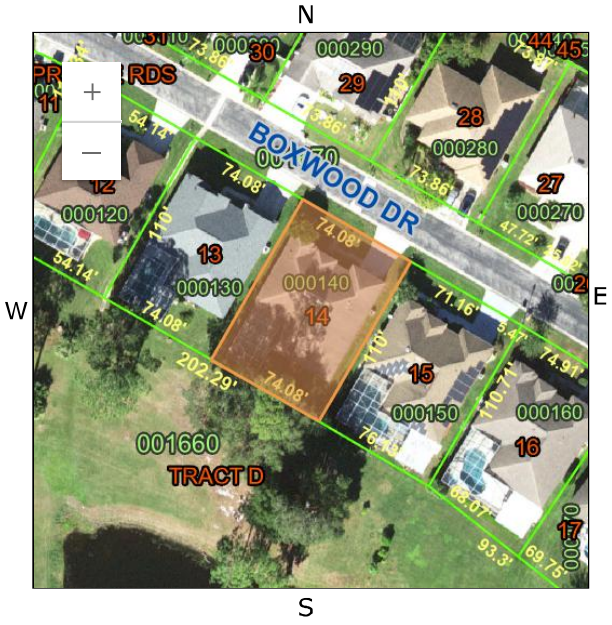
Parcel Information

Municipality	**Unincorporated Polk County (Code: 90000)**
Neighborhood	**130071.00** Search Recent Sales in this Neighborhood
Subdivision	**FOREST AT RIDGEWOOD PB 94 PGS 24 THRU 26**
Property (DOR) Use Code	**SFR Golf course front (Code: 0186)**
Acreage	**0.19**
Community Redevelopment Area	**NOT IN CRA**

Property Desc

DISCLAIMER: The property description provided is a summary of the original legal description and should not be used for conveying property, as it may render the deed invalid.

Area Map



Recorded Plat

Recorded Plat for this parcel

Section Maps for 272628

HTML (opens in new tab)
Printable PDF

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DISCLAIMER:
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Last Updated: Tuesday, September 8, 2026 at 2:08:05 AM

Prepared by and Return to:
Stace Patterson
HomeLight Settlement, LLC
3505 E. Frontage Rd, Suite 100
Tampa, FL 33607
File # **FL-23-14160**

Property Parcel Tax ID: 27-26-28-706440-000140

WARRANTY DEED

THIS INDENTURE, Made this 27th day of June, 2023, by and between Soltan Sanjar Malekghasemi and Leila Vali, wife and husband, whose mailing address is: 12 Warriston Terrace, Edinburgh, Midlothian EH3 5LZ, United Kingdom, hereinafter referred to as "Grantor", and Timothy Beugel and Tara Beugel, husband and wife, whose mailing address is: 217 Boxwood Drive, Davenport, FL 33837, hereinafter referred to as "Grantee",

WITNESSETH, that Grantor, for an in the consideration of the sum of FOUR HUNDRED SIXTY EIGHT THOUSAND AND 00/100, ($468,000.00) and other valuable considerations, receipt whereof is hereby acknowledged by these presents does grant, bargain and sell unto Grantee, the Grantee's heirs , successor and assigns forever, all the right, title, interest, claim and demand that Grantor has in and to the following described real property located and situate in the county of POLK, Florida, to-wit:

Lot 14, THE FOREST AT RIDGEWOOD, according to the map or plat thereof, as recorded in Plat Book 94, Page(s) 24 through 26, inclusive, of the Public Records of Polk County, Florida.

CONVEYANCE is herein made subject to all easements, and building or use restrictions of record, including but not limited to, those for public roads and highways, restrictive covenants, utilities, railroads and pipelines. The conveyance is also subject to all applicable zoning, ordinances, statutes, rules, or regulations, as amended.

TOGETHER with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or appertaining; and every right, title or interest, legal or equitable, of the Grantor, of in and to the same.

TO HAVE AND TO HOLD, the same in fee simple unto Grantee, Grantee's heirs and assigns, to their proper use, benefit and behalf forever.

GRANTOR further hereby warrants with the Grantee that the Grantor is lawfully seized of said land, and hereby warrants the title of said land and will defend the same against lawful claims of all persons whomsoever, and that said land is free of all encumbrances, except taxes accruing subsequent to date of transfer.

(THIS SECTION INTENTIONALLY LEFT BLANK)

IN WITNESS WHEREOF, Grantor has hereunto set his/her/their hand and seal the day and year first above written.

Soltan Sanjar Malekghasemi

Leila Vali

Leila Vali

Signed, Sealed and Delivered in our Presence:

Brian Gonzalez

Print Witness Name

Brian Gonzalez

Print Witness Name

Kristen Renee Gonzales

Witness Signature

Kristen Renee Gonzalez

Witness Signature

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ( ) physical presence or ( ) online notarization this _____ day of June, 2023, by Soltan Sanjar Malekghasemi.

Signature of Notary Public
Print, Type/Stamp Name of Notary

Personally Known:_____ **OR Produced Identification:**_____
Type of Identification
Produced:_____

STATE OF Virginia
COUNTY OF Alexandria City

The foregoing instrument was acknowledged before me by means of ( ) physical presence or (✓) online notarization this 26 **day of June, 2023, by Leila Vali.**

Kristen Renee Gonzales

Signature of Notary Public
Print, Type/Stamp Name of Notary
Kristen Renee Gonzalez

KRISTEN RENEE GONZALEZ
Electronic Notary Public
Commonwealth of Virginia
Registration No. 7888094
My Commission Expires Apr 30, 2024

Personally Known:_____ **OR Produced Identification:** ✓
Type of Identification
Produced: passport - UK

My Commission expires: 04/30/2024

Completed via Remote Online Notarization using 2 way Audio/Video technology.

NotaryCam Doc ID: 7df5fd64-b168-4b95-a5a3-7d29ae5af72c

Parcel Details: 27-26-28-706440-000160

Owners *Recently purchased this property? Click here.*

BURKART ROBERT F	100%
BURKART MARK	0%
BURKART ANGELA	0%

Mailing Address *(Address Change form)*

6217 SAINT MORITZ AVE
DALLAS TX 75214-2322

Physical Street Address *Why postal city and municipality? Click here.*

237 BOXWOOD DR

Postal City and Zip

DAVENPORT FL 33837

Parcel Information

Municipality	**Unincorporated Polk County (Code: 90000)**
Neighborhood	**130071.00** Search Recent Sales in this Neighborhood
Subdivision	**FOREST AT RIDGEWOOD PB 94 PGS 24 THRU 26**
Property (DOR) Use Code	**SFR Golf course front (Code: 0186)**
Acreage	**0.19**
Community Redevelopment Area	**NOT IN CRA**

Property Desc

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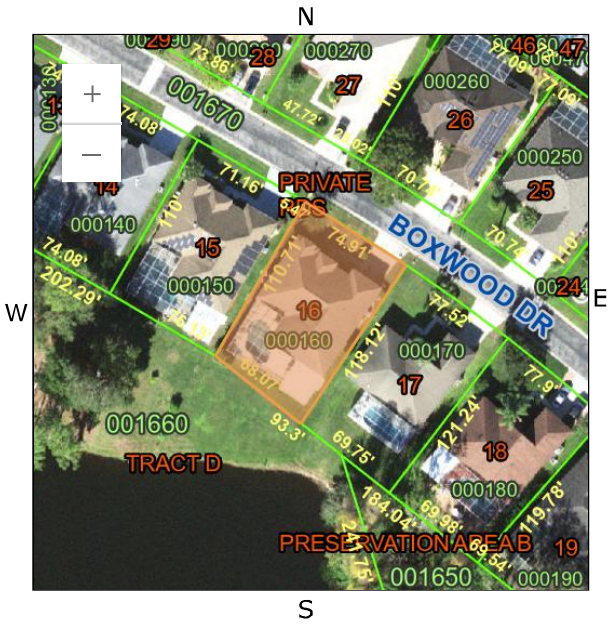
Area Map



Recorded Plat

Recorded Plat for this parcel

Section Maps for 272628

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Printable PDF

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Last Updated: Tuesday, September 8, 2026 at 2:08:05 AM

Lot 1016

Prepared by and return to:
Janet Padilla
Escrow Officer
Oliver Title Law
11513 Lake Underhill Road, Suite A
Orlando, FL 32825
407-249-5050
File Number: **2017-0169**
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this **19th** day of **June, 2017** between **Edward Travis a/k/a Edward R. Travis and Margaret Travis, husband and wife** whose post office address is **237 Boxwood Dr , Davenport, FL 33837**, grantor, and **Robert F. Burkart, a single man** whose post office address is **1125 W Lookout Dr, Richardson, TX 75080**, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Polk County**, **Florida** to-wit:

Lot 16, THE FOREST AT RIDGEWOOD, according to the map or plat thereof as recorded in Plat Book 94, Page 24, Public Records of Polk County, Florida.

Parcel Identification Number: 272628706440000160

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2016.**

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Name: Lewis M. Oliver III

(Seal)
Edward Travis a/k/a Edward R. Travis

Witness Name: Don Migliore

(Seal)
Margaret G Travis

State of Florida
County of Osceola

The foregoing instrument was acknowledged before me this 19th day of June, 2017 by Edward Travis, who [_] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]

NOTARY PUBLIC STATE OF FLORIDA
LEWIS MAURICE OLIVER III
MY COMMISSION # FF 174614
EXPIRES: February 14, 2019

Notary Public

Printed Name: Lewis Maurice Oliver

My Commission Expires: 2-14-19

DoubleTime®

Parcel Details: 27-26-28-706440-000180

Owners *Recently purchased this property? Click here.*

AVILA JORGE	50%
VELOZ JANIZA	50%

Mailing Address *(Address Change form)*

319 BOXWOOD DR
DAVENPORT FL 33837-5501

Physical Street Address *Why postal city and municipality? Click here.*

319 BOXWOOD DR

Postal City and Zip

DAVENPORT FL 33837

Parcel Information

Municipality	**Unincorporated Polk County (Code: 90000)**
Neighborhood	**130071.00** Search Recent Sales in this Neighborhood
Subdivision	**FOREST AT RIDGEWOOD PB 94 PGS 24 THRU 26**
Property (DOR) Use Code	**SFR up to 2.49 AC (Code: 0100)**
Acreage	**0.20**
Community Redevelopment Area	**NOT IN CRA**

Property Desc

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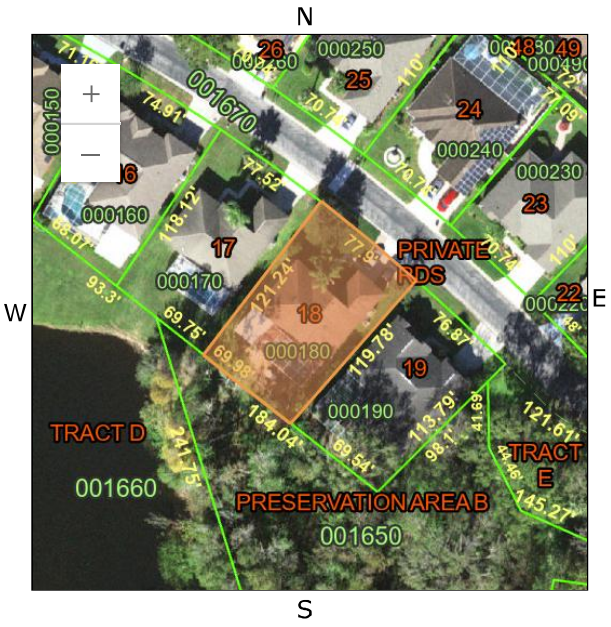
Area Map



Recorded Plat

Recorded Plat for this parcel

Section Maps for 272628

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Printable PDF

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Last Updated: Tuesday, September 8, 2026 at 2:08:05 AM

Parcel Details: 27-26-28-706440-000370

Owners *Recently purchased this property? Click here.*

SALEMI MICHAEL	100%

Mailing Address *(Address Change form)*

113 GOLF COURSE PKWY
DAVENPORT FL 33837-5519

Physical Street Address *Why postal city and municipality? Click here.*

113 GOLF COURSE PKWY

Postal City and Zip

DAVENPORT FL 33837

Parcel Information

Municipality	**Unincorporated Polk County (Code: 90000)**
Neighborhood	**130071.00** Search Recent Sales in this Neighborhood
Subdivision	**FOREST AT RIDGEWOOD PB 94 PGS 24 THRU 26**
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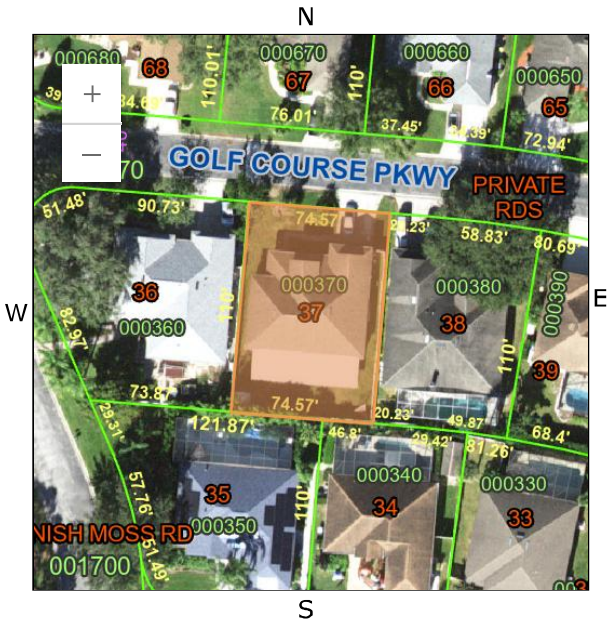

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Last Updated: Tuesday, September 8, 2026 at 2:08:05 AM

Parcel Details: 27-26-28-706440-000500

Owners *Recently purchased this property? Click here.*

GOMEZ JAIRO D	50%
GOMEZ EUNICE	50%

Mailing Address *(Address Change form)*

337 GOLF COURSE PKWY
DAVENPORT FL 33837-5523

Physical Street Address *Why postal city and municipality? Click here.*

337 GOLF COURSE PKWY

Postal City and Zip

DAVENPORT FL 33837

Parcel Information

Municipality	**Unincorporated Polk County (Code: 90000)**
Neighborhood	**130071.00** Search Recent Sales in this Neighborhood
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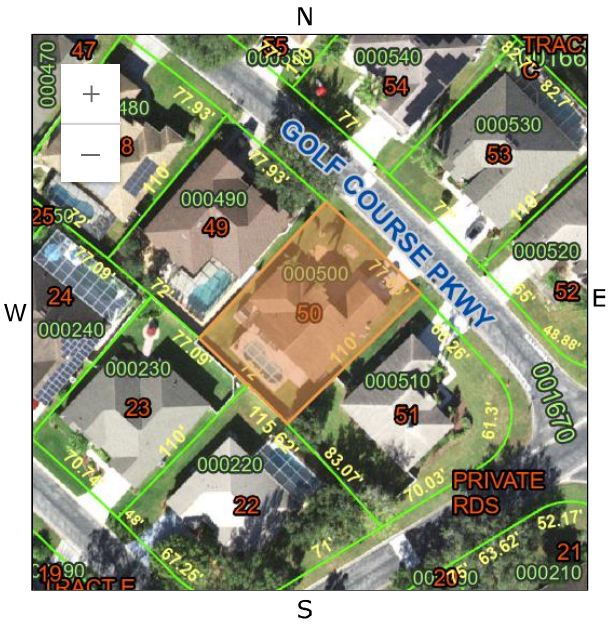

Recorded Plat

Recorded Plat for this parcel

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HTML (opens in new tab)
Printable PDF

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DISCLAIMER:
The Polk County Property Appraiser makes no representations or warranties regarding the completeness and accuracy of the data herein, its use or interpretation, the fee or beneficial/equitable title ownership or encumbrances of the property, and assumes no liability associated with its use or misuse. See the posted Site Notice.

Last Updated: Tuesday, September 8, 2026 at 2:08:05 AM

Parcel Details: 27-26-28-706440-001470

Owners *Recently purchased this property? Click here.*

ELLENBERGER DALE E	100%

Mailing Address *(Address Change form)*

1022 FOREST OAKS DR
BUTLER PA 16001-7710

Physical Street Address *Why postal city and municipality? Click here.*

633 GOLF COURSE PKWY

Postal City and Zip

DAVENPORT FL 33837

Parcel Information

Municipality	**Unincorporated Polk County (Code: 90000)**
Neighborhood	**130071.00** Search Recent Sales in this Neighborhood
Subdivision	**FOREST AT RIDGEWOOD PB 94 PGS 24 THRU 26**
Property (DOR) Use Code	**SFR up to 2.49 AC (Code: 0100)**
Acreage	**0.37**
Community Redevelopment Area	**NOT IN CRA**

Property Desc

DISCLAIMER: The property description provided is a summary of the original legal description and should not be used for conveying property, as it may render the deed invalid.

Area Map

Recorded Plat

Recorded Plat for this parcel

Section Maps for 272628

HTML (opens in new tab)
Printable PDF

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Last Updated: Tuesday, September 8, 2026 at 2:08:05 AM

Parcel Details: 27-26-28-706440-001520

Owners *Recently purchased this property? Click here.*

MUNOA CRISBEL	100%

Mailing Address *(Address Change form)*

745 GOLF COURSE PKWY
DAVENPORT FL 33837-5531

Physical Street Address *Why postal city and municipality? Click here.*

745 GOLF COURSE PKWY

Postal City and Zip

DAVENPORT FL 33837

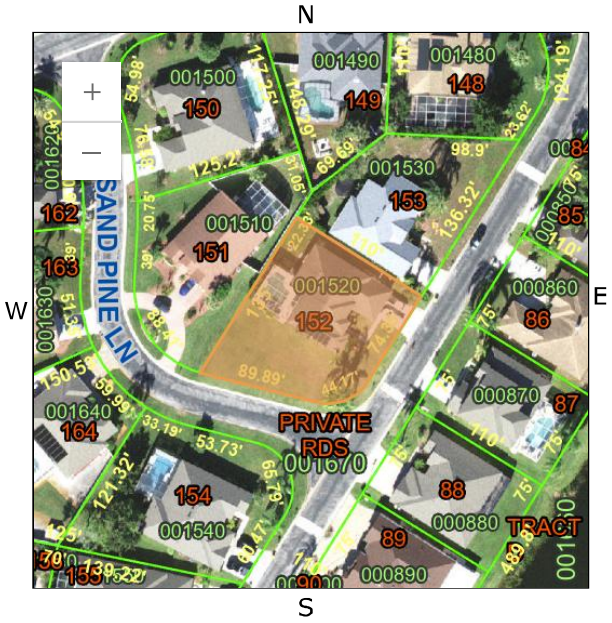
Parcel Information

Municipality	**Unincorporated Polk County (Code: 90000)**
Neighborhood	**130071.00** Search Recent Sales in this Neighborhood
Subdivision	**FOREST AT RIDGEWOOD PB 94 PGS 24 THRU 26**
Property (DOR) Use Code	**SFR up to 2.49 AC (Code: 0100)**
Acreage	**0.29**
Community Redevelopment Area	**NOT IN CRA**

Property Desc

DISCLAIMER: The property description provided is a summary of the original legal description and should not be used for conveying property, as it may render the deed invalid.

Area Map



Recorded Plat

Recorded Plat for this parcel

Section Maps for 272628

HTML (opens in new tab)
Printable PDF

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Last Updated: Tuesday, September 8, 2026 at 2:08:05 AM

Parcel Details: 27-26-28-706440-000900

Owners *Recently purchased this property? Click here.*

KAHL MARK	50%
KAHL CLAIRE	50%

Mailing Address *(Address Change form)*

30 HOWITT DRIVE MILTON KEYNES
BUCKS MK13 7D2
UNITED KINGDOM

Physical Street Address *Why postal city and municipality? Click here.*

816 GOLF COURSE PKWY

Postal City and Zip

DAVENPORT FL 33837

Parcel Information

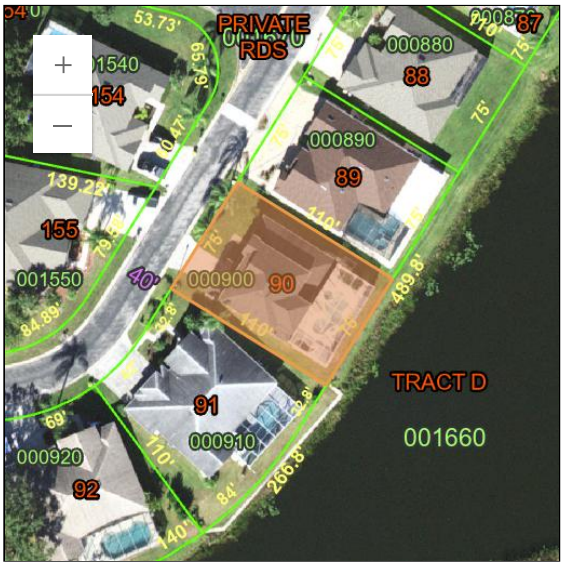
Municipality	**Unincorporated Polk County (Code: 90000)**
Neighborhood	**130071.00** Search Recent Sales in this Neighborhood
Subdivision	**FOREST AT RIDGEWOOD PB 94 PGS 24 THRU 26**
Property (DOR) Use Code	**SFR Golf course front (Code: 0186)**
Acreage	**0.19**
Community Redevelopment Area	**NOT IN CRA**

Property Desc

DISCLAIMER: The property description provided is a summary of the original legal description and should not be used for conveying property, as it may render the deed invalid.

Area Map

N



W E

S

Recorded Plat

Recorded Plat for this parcel

Section Maps for 272628

HTML (opens in new tab)
Printable PDF

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Last Updated: Tuesday, September 8, 2026 at 2:08:05 AM

Parcel Details: 27-26-28-706440-001000

Owners *Recently purchased this property? Click here.*

LIZFFC LLC 100%

Mailing Address *(Address Change form)*

585 E MAIN ST
NEW BRITAIN CT 06051-2025

Physical Street Address *Why postal city and municipality? Click here.*

1020 GOLF COURSE PKWY

Postal City and Zip

DAVENPORT FL 33837

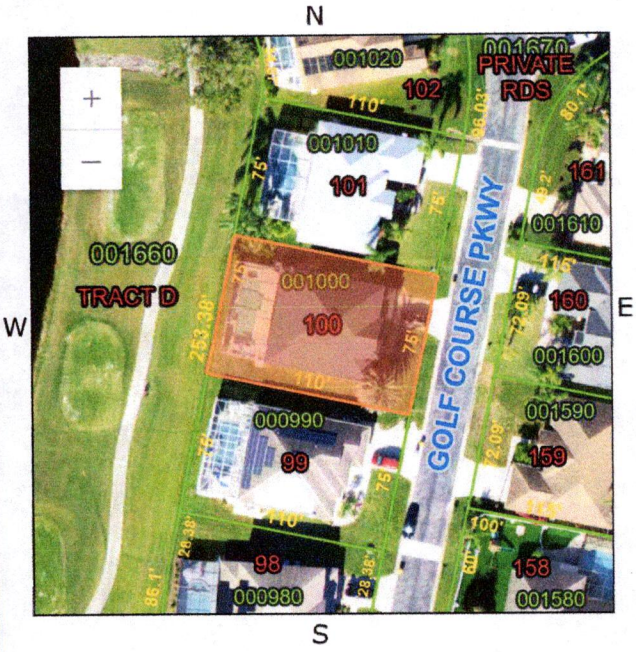
Parcel Information

Municipality	**Unincorporated Polk County (Code: 90000)**
Neighborhood	**130071.00** Search Recent Sales in this Neighborhood
Subdivision	**FOREST AT RIDGEWOOD PB 94 PGS 24 THRU 26**
Property (DOR) Use Code	**SFR Golf course front (Code: 0186)**
Acreage	**0.19**
Community Redevelopment Area	**NOT IN CRA**

Property Desc

DISCLAIMER: The property description provided is a summary of the original legal description and should not be used for conveying property, as it may render the deed invalid.

Area Map



Recorded Plat

Recorded Plat for this parcel

Section Maps for 272628

HTML (opens in new tab)
Printable PDF

NOTICE: All information ABOVE this notice is current (as of Friday, March 20, 2026 at 2:10:15 AM). All information BELOW this notice is from the 2025 Tax Roll, except where otherwise noted.

DISCLAIMER:
The Polk County Property Appraiser makes no representations or warranties regarding the completeness and accuracy of the data herein, its use or interpretation, the fee or beneficial/equitable title ownership or encumbrances of the property, and assumes no liability associated with its use or misuse. See the posted Site Notice.

Last Updated: Friday, March 20, 2026 at 2:10:15 AM

FORM FOR HOMEOWNERS WRITTEN RECALL AGREEMENT / BALLOT

BLOCK A

This agreement is being circulated for the purpose of recalling the board directors listed below, currently serving on the board of directors at **THE FOREST AT RIDGEWOOD HOMEOWNERS' ASSOCIATION, INC.** *(fill in name of homeowners' association)*. Pursuant to section 720.303(10), Florida Statutes, any board director may be recalled and removed from office with or without cause by the vote or agreement in writing by a majority of all the voting interests. Rule 61B-81.003, Florida Administrative Code, governs recall by written agreement. This recall ballot may be used for one successive recall effort occurring within 120 days from the date the ballot was signed by the homeowner if the first recall effort is unsuccessful. Any revocation of this agreement must be in writing and delivered to the board prior to service of the recall agreement on the board. **THE BOARD DIRECTORS SUBJECT TO RECALL ARE LISTED BELOW. PLEASE CAST YOUR VOTE BY MARKING EITHER THE "RECALL" OR "RETAIN" BOX NEXT TO EACH BOARD DIRECTOR'S NAME.** ***(Note that these boxes cannot be pre-marked but must be filled out by the voter.)***

		RECALL	RETAIN
Name of board director	KEVIN MACK	☒	☐
Name of board director	EDWARD BURDON	☒	☐
Name of board director		☐	☐
Name of board director		☐	☐
Name of board director		☐	☐
Name of board director		☐	☐
Name of board director		☐	☐

BLOCK B

BALLOT FOR REPLACEMENT OF BOARD DIRECTORS (use only where at least a majority of the board is being recalled)

The individuals listed below have indicated their willingness to replace the recalled board directors. You may vote for these candidates by marking the box next to the candidate's name OR you may write in the name of a write-in candidate. **In any event, do not vote for more than a total of the number of directors sought to be recalled, including write-in candidates.**

		In Favor of
Name of replacement board director	SHARON MCDANIEL	☒
Name of replacement board director	DAVID MACMORRAN	☒
Name of replacement board director		☐
Name of replacement board director		☐
Name of replacement board director		☐
Name of replacement board director		☐
Name of replacement board director		☐
Write-In Candidate		☐

BLOCK C

LIZFFC LLC
Homeowner (Print name)

1020 GOLF COURSE PKWY
Parcel Address

By signing this document, I affirm that I am authorized in the manner required by the governing documents to cast this vote on behalf of this parcel.

Member
Homeowner(s) Signature

4-1-26
Date signed

KENNETH J. PAPA Member

HOMEOWNERS' REPRESENTATIVE: The person identified below has been designated as the homeowners' representative who will receive the recall agreements, open the written agreements, tally the votes, serve copies of the agreements on the board, and receive other information on behalf of the homeowners: *(below, fill in the name and address of the homeowners' representative)*

LARRY BASSETT
318 BOXWOOD DRIVE
DAVENPORT, FLORIDA 33837

INSTR # 2016140849
BK 9895 Pgs 2249-2250 PG(s)2
08/03/2016 01:22:30 PM
STACY M. BUTTERFIELD,
CLERK OF COURT POLK COUNTY
RECORDING FEES 18.50
DEED DOC 0.70

Documentary Stamp Tax: $0.70

After Recording Mail To:
uDeed, LLC – 79928-A
9041 South Pecos Road, Suite 3900
Henderson, NV 89074

This document prepared by:
Kenneth J. Papa
271 Huckleberry Hill Road
Avon, CT 06001

QUITCLAIM DEED

TITLE OF DOCUMENT

This quitclaim deed, made the 30th day of December, 2015, by **Kenneth J. Papa, a married man**, whose mailing address is 271 Huckleberry Hill Road, Avon, Connecticut 06001, hereinafter called the Grantor, to **Lizbeth A. Papa, a married woman**, whose mailing address is 271 Huckleberry Hill Road, Avon, Connecticut 06001, hereinafter called the Grantee.

The Grantor, for and in consideration of the sum of ONE AND NO/100 DOLLAR ($1.00) and other good and valuable considerations to Grantor paid by Grantee, the receipt of which is hereby acknowledged, hereby remises, releases, and quitclaims unto the Grantee all that certain land, situate in Polk County, State of Florida, viz:

LOT 100, THE FOREST AT RIDGEWOOD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 94, PAGE 24-26, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

Assessor's Parcel Number: 27-26-28-706440-001000

And more commonly known as: 1020 Golf Course Parkway, Davenport, Florida 33837

Prior Recorded Doc. Ref.: **Special Warranty Deed**; Recorded **October 14, 2013**, BK **09087**, PG **0126**, Doc. No. **2013189905**

Subject to any Restrictions, Conditions, Covenants, Rights, Rights of Way, and easements now of record, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To have and to hold, the same in fee simple forever.

The land described herein (You must make a selection):

____ is homestead property of the said Grantor

✓ is ***NOT*** homestead property of the said Grantor

In witness whereof, the said Grantor has signed and sealed these presents the day and year first above written.

When the context requires, singular nouns and pronouns include the plural.

Kenneth J. Papa

Signed, sealed and delivered in the presence of:

Witness Signatures:

Printed Name: JUANYS VELAZQUEZ

Printed Name: Lynn M Fammartino

STATE OF CT)

COUNTY OF Hartford) ss

The foregoing instrument was acknowledged before me this 30 day of December, 2015, by **Kenneth J. Papa** who is/are personally known to me or who has/have produced _____ (type of identification) as identification.

NOTARY STAMP/SEAL

NOTARY PUBLIC

Julie K. Camacho

PRINTED NAME OF NOTARY PUBLIC

My Commission Expires: 4/30/19

Stacy M. Butterfield POLK
CFN# 2016140849 OR BK 9895 PG 2250 Pgs 2249-2250 08/03/2016 01:22:30 PM

INSTR # 2016140850
BK 9895 Pgs 2251-2252 PG(s)2
08/03/2016 01:22:30 PM
STACY M. BUTTERFIELD,
CLERK OF COURT POLK COUNTY
RECORDING FEES 18.50
DEED DOC 0.70

Documentary Stamp Tax: $0.70

After Recording Mail To:
uDeed, LLC – 79928-B
9041 South Pecos Road, Suite 3900
Henderson, NV 89074

This document prepared by:
Lizbeth A. Papa
271 Huckleberry Hill Road
Avon, CT 06001

QUITCLAIM DEED

TITLE OF DOCUMENT

This quitclaim deed, made the 30th day of December, 2015, by **Lizbeth A. Papa, a married woman**, whose mailing address is 271 Huckleberry Hill Road, Avon, Connecticut 06001, hereinafter called the Grantor, to **Lizffc, LLC**, whose mailing address is 585 East Main Street, New Britain, Connecticut 06051, hereinafter called the Grantee.

The Grantor, for and in consideration of the sum of ONE AND NO/100 DOLLAR ($1.00) and other good and valuable considerations to Grantor paid by Grantee, the receipt of which is hereby acknowledged, hereby remises, releases, and quitclaims unto the Grantee all that certain land, situate in Polk County, State of Florida, viz:

LOT 100, THE FOREST AT RIDGEWOOD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 94, PAGE 24-26, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

Assessor's Parcel Number: 27-26-28-706440-001000

And more commonly known as: 1020 Golf Course Parkway, Davenport, Florida 33837

Prior Recorded Doc. Ref.: **Quitclaim Deed, to be recorded concurrently herewith**; AND **Special Warranty Deed**; Recorded **October 14, 2013**, BK **09087**, PG **0126**, Doc. No. **2013189905**

Subject to any Restrictions, Conditions, Covenants, Rights, Rights of Way, and easements now of record, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To have and to hold, the same in fee simple forever.

The land described herein (You must make a selection):

____ is homestead property of the said Grantor

✓ is ***NOT*** homestead property of the said Grantor

In witness whereof, the said Grantor has signed and sealed these presents the day and year first above written.

When the context requires, singular nouns and pronouns include the plural.

Lizbeth A. Papa

Signed, sealed and delivered in the presence of:

Witness Signatures:

Printed Name: [illegible]

Printed Name: Lynn M. Fammartino

STATE OF CT)

COUNTY OF Hartford) ss

The foregoing instrument was acknowledged before me this 30 day of December, 2015, by **Lizbeth A. Papa** who is/are personally known to me or who has/have produced _____ (type of identification) as identification.

NOTARY STAMP/SEAL

JULIE K. CAMACHO NOTARY PUBLIC STATE OF CONNECTICUT

NOTARY PUBLIC

Julie K. Camacho

PRINTED NAME OF NOTARY PUBLIC

My Commission Expires: 4/30/19

Stacy M. Butterfield POLK
CFN# 2016140850 OR BK 9895 PG 2252 Pgs 2251-2252 08/03/2016 01:22:30 PM

INSTR # 2013189905
BK 09087 PG 0126 PG(s)1
RECORDED 10/14/2013 08:41:57 AM
STACY M. BUTTERFIELD,
CLERK OF COURT POLK COUNTY
DEED DOC 1,617.00
RECORDING FEES 10.00
RECORDED BY V Epperson

Prepared by and Return to:
Genesis Title Company
Melanie Migliaccio
1140 Kyle Wood Lane
Brandon, Florida 33511-4731
Our File Number: 0413077

For official use by Clerk's office only

STATE OF UTAH)
COUNTY OF SALT LAKE)
)

SPECIAL WARRANTY DEED
(Corporate Seller)

THIS INDENTURE, made this 16 day of September, 2013, between The Bank of New York Mellon fka The Bank of New York for the Certificateholders, CWALT, Inc., Alternative Loan Trust 2007-OA4 Mortgage Passthrough Certificates, Series 2007-OA4, a national banking association organized and existing under the laws of the United States of America, whose mailing address is: 3815 Southwest Temple Street, Salt Lake City, Utah 84114, party of the first part, and Kenneth J. Papa a married man whose mailing address is: 271 Huckleberry Hill Road, Avon, CT 06001, party/parties of the second part,

WITNESSETH:

First party, for and in consideration of the sum of Two Hundred Thirty Thousand Nine Hundred Fourteen dollars & no cents ($230,914.00) and other valuable considerations, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, aliens, remises, releases, conveys and confirms unto second party/parties, his/her/their heirs and assigns, the following described property, to wit in the County of Polk, State of Florida:

Lot 100, THE FOREST AT RIDGEWOOD, according to the plat thereof, as recorded in Plat Book 94, Page 24-26, of the Public Records of Polk County, Florida.

Parcel ID: 282627-706440-001000

Subject, however, to all covenants, conditions, restrictions, reservations, limitations, easements and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the party of the first part hereby covenants with said party of the second part, that it is lawfully seized of said land in fee simple: that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the party of the first part.

IN WITNESS WHEREOF, first party has signed and sealed these present the date set forth above.

Signed, sealed and delivered
in the presence of:

Witness signature 9-16-13
Julee Metters, REO Closer
Print witness name

Witness signature 9/16/13
Tracee Vanderlinden, REO Closer
Print witness name

The Bank of New York Mellon fka The Bank of New York for the Certificateholders, CWALT, Inc., Alternative Loan Trust 2007-OA4 Mortgage Passthrough Certificates, Series 2007-OA4

By: 9-16-13
Print Name: Paul Douglas, Doc. Control Officer
Doc. Control Officer- Select Portfolio Servicing, Inc.
Attorney-in-Fact
3815 SW Temple Street, Salt Lake City, UT 84115

Corporate Seal
SELECT PORTFOLIO SERVICING, INC. Corporate 1989 SEAL UTAH

State of Utah
County of Salt Lake

THE FOREGOING INSTRUMENT was acknowledged before me this 16 day of September, 2013, by Paul Douglas, Doc. Control Officer, as Doc. Control Officer of Select Portfolio Servicing, Inc., as Attorney-in-Fact for The Bank of New York Mellon fka The Bank of New York for the Certificateholders, CWALT, Inc., Alternative Loan Trust 2007-OA4 Mortgage Passthrough Certificates, Series 2007-OA4, who is personally known to me or who has produced valid driver's license as identification.

Notary Public
Print Notary Name DHARI HANDY
My Commission Expires: 10/10/2016

DHARI HANDY
Notary Public State of Utah
My Commission Expires on:
October 10, 2016
Comm. Number: 659121

Notary Seal

DEED - Special Warranty Deed - Corporate

2026 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

FILED
Apr 28, 2026
Secretary of State
8007435788CC

DOCUMENT# L14000136088

Entity Name: LIZFFC, LLC

Current Principal Place of Business:

271 HUCKLEBERRY HILL RD
AVON, CT 06001

Current Mailing Address:

271 HUCKLEBERRY HILL RD
AVON, CT 06001 US

FEI Number: APPLIED FOR

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

PAPA, KENNETH JOHN
271 HUCKLEBERRY HILL RD
AVON, FL 06001 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: KENNETH J PAPA 04/28/2026

Electronic Signature of Registered Agent — Date

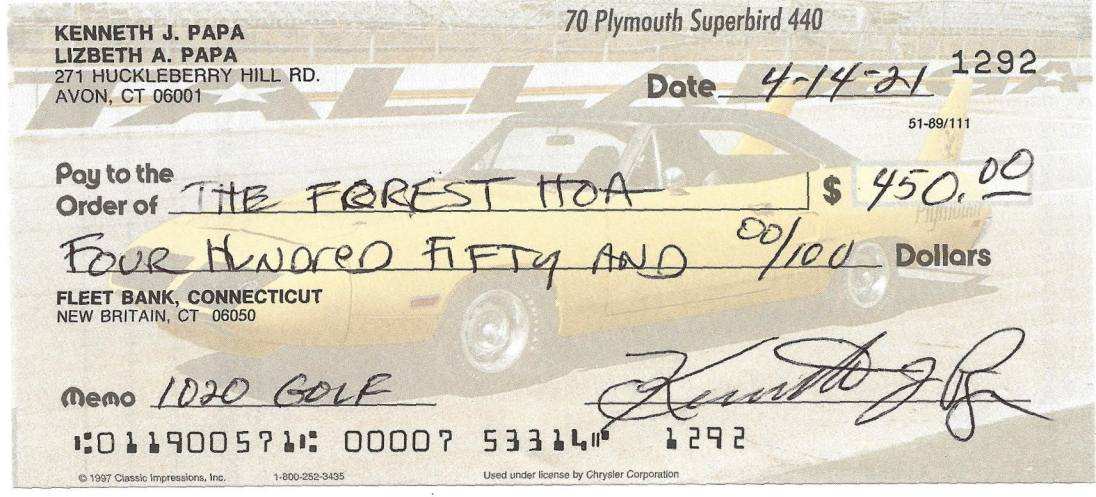
Authorized Person(s) Detail :

Title	MGR	Title	MGR
Name	PAPA, LIZBETH A	Name	PAPA, KENNETH J
Address	271 HUCKLEBERRY HILL RD	Address	271 HUCKLEBERRY HILL RD
City-State-Zip:	AVON CT 06001	City-State-Zip:	AVON CT 06001

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: KENNETH PAPA MGR 04/28/2026

Electronic Signature of Signing Authorized Person(s) Detail — Date



KENNETH J. PAPA
LIZBETH A. PAPA
271 HUCKLEBERRY HILL RD.
AVON, CT 06001

1292

Date 4-14-21

51-89/111

Pay to the Order of THE FOREST HOA $ 450.00

FOUR HUNDRED FIFTY AND 00/100 Dollars

FLEET BANK, CONNECTICUT
NEW BRITAIN, CT 06050

Memo 1020 GOLF

⑆011900571⑆ 00007 53314⑈ 1292

© 1997 Classic Impressions, Inc. 1-800-252-3495 Used under license by Chrysler Corporation

KENNETH J PAPA
LIZBETH A PAPA
271 HUCKLEBERRY HILL RD
AVON, CT 06001-3171

5538
51-57/119 CT
18526

1-12-24
Date

Pay To The Order Of THE FOREST AT RIDGEWOOD HOA $ 500.00

FIVE HUNDRED AND 00/100 Dollars

Photo Safe Deposit® Details on back

BANK OF AMERICA

ACH R/T 011900571

For 2020 GOLF 1,100

⑆011900571⑆ 000000753314⑈5538

Harland Clarke

KENNETH J PAPA
LIZBETH A PAPA
271 HUCKLEBERRY HILL RD
AVON, CT 06001-3171

5535
51-57/119 CT
18526

1-7-24
Date

Pay To The Order Of FOREST HOA $ 1,000.00

One THOUSAND AND 00/100 Dollars

Photo Safe Deposit® Details on back

BANK OF AMERICA

ACH R/T 011900571

For 2024 - FULL PMT

MP

⑆011900571⑆ 000000753314 5535

Harland Clarke

REJECTED BALLOT STATEMENT

Parcel: 27-26-28-706440-001000 — 1020 Golf Course Pkwy
Owner: LIZFFC LLC
HOA Rejection Reason: "1020 Golf Course Parkway rejected for inability to verify ability to sign on behalf of LLC."

DBPR STANDARD

Under §720.303(10), Florida Statutes, and DBPR recall rulings, a recall ballot may only be rejected if:

- The signer is **not the owner**
- The ballot is **unsigned**
- The ballot is **ambiguous**
- The ballot does **not clearly express intent**

DBPR has repeatedly held:

- Associations may **NOT** require LLC documents unless the ballot is ambiguous
- A ballot signed by an LLC **member or manager** is valid on its face
- The HOA must accept the signer's representation of authority
- The HOA may not reject a ballot based on lack of corporate paperwork

EVIDENCE OF VALIDITY

1. Ownership Verified

The Polk County Property Appraiser confirms **LIZFFC LLC** is the deeded owner of 1020 Golf Course Pkwy.

2. Ballot is Signed, Dated, and Clear

The ballot is:

- Signed by **Kenneth J. Papa**, Member
- Dated
- Clear
- Unambiguous
- Valid on its face

3. HOA's Rejection Reason Is Not Lawful

DBPR prohibits:

- The ballot must be **counted**

⭐ FINAL DETERMINATION

Ballot B-05 is VALID and must be counted under §720.303(10) and DBPR recall rulings.

Parcel Details: 27-26-28-706440-001050

Owners *Recently purchased this property? Click here.*

RONAN MICHAEL EDWARD	50%
RONAN CHERYL MILDRED	50%

Mailing Address *(Address Change form)*

7272 SIXTH LINE
RR3 TOTTENHAM ONTARIO LOG 1WO
CANADA

Physical Street Address *Why postal city and municipality? Click here.*

1132 GOLF COURSE PKWY

Postal City and Zip

DAVENPORT FL 33837

Parcel Information

Municipality	**Unincorporated Polk County (Code: 90000)**
Neighborhood	**130071.00** Search Recent Sales in this Neighborhood
Subdivision	**FOREST AT RIDGEWOOD PB 94 PGS 24 THRU 26**
Property (DOR) Use Code	**SFR Golf course front (Code: 0186)**
Acreage	**0.19**
Community Redevelopment Area	**NOT IN CRA**

Property Desc

DISCLAIMER: The property description provided is a summary of the original legal description and should not be used for conveying property, as it may render the deed invalid.

Area Map

N

W

E

S

Recorded Plat

Recorded Plat for this parcel

Section Maps for 272628

HTML (opens in new tab)
Printable PDF

NOTICE: All information ABOVE this notice is current (as of Tuesday, September 8, 2026 at 2:08:05 AM). All information BELOW this notice is from the 2026 Tax Roll, except where otherwise noted.

DISCLAIMER:
The Polk County Property Appraiser makes no representations or warranties regarding the completeness and accuracy of the data herein, its use or interpretation, the fee or beneficial/equitable title ownership or encumbrances of the property, and assumes no liability associated with its use or misuse. See the posted Site Notice.

Last Updated: Tuesday, September 8, 2026 at 2:08:05 AM

Parcel Details: 27-26-28-706440-001100

Owners *Recently purchased this property? Click here.*

ZASLAWSKI JURI G	50%
ZASLAWSKI JOSEPHINE R	50%

Mailing Address *(Address Change form)*

1234 GOLF COURSE PKWY
DAVENPORT FL 33837-5540

Physical Street Address *Why postal city and municipality? Click here.*

GOLF COURSE PKWY

Postal City and Zip

DAVENPORT FL 33837

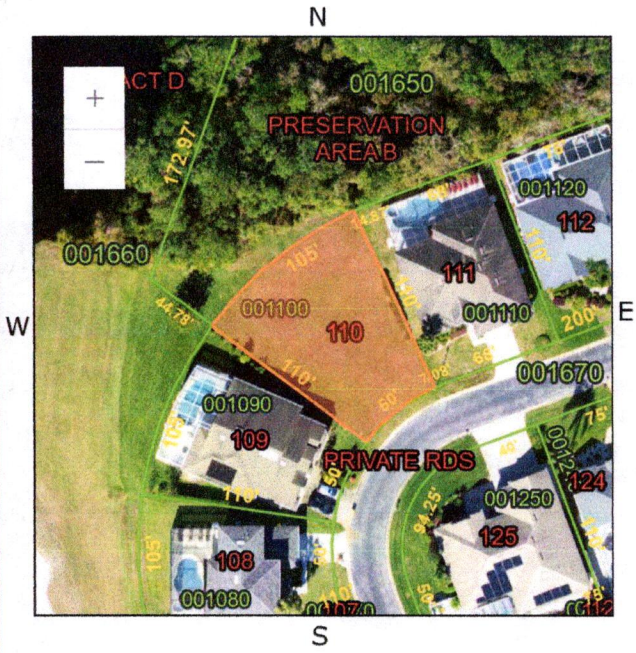
Parcel Information

Municipality	**Unincorporated Polk County (Code: 90000)**
Neighborhood	**130071.00** Search Recent Sales in this Neighborhood
Subdivision	**FOREST AT RIDGEWOOD PB 94 PGS 24 THRU 26**
Property (DOR) Use Code	**Vac.Res (Code: 0001)**
Acreage	**0.20**
Community Redevelopment Area	**NOT IN CRA**

Property Desc

DISCLAIMER: The property description provided is a summary of the original legal description and should not be used for conveying property, as it may render the deed invalid.

Area Map



Recorded Plat

Recorded Plat for this parcel

Section Maps for 272628

HTML (opens in new tab)
Printable PDF

NOTICE: All information ABOVE this notice is current (as of Friday, March 20, 2026 at 2:10:15 AM). All information BELOW this notice is from the 2025 Tax Roll, except where otherwise noted.

DISCLAIMER:
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Last Updated: Friday, March 20, 2026 at 2:10:15 AM

FORM FOR HOMEOWNERS WRITTEN RECALL AGREEMENT / BALLOT

BLOCK A

This agreement is being circulated for the purpose of recalling the board directors listed below, currently serving on the board of directors at THE FOREST AT RIDGEWOOD HOMEOWNERS' ASSOCIATION, INC. *(fill in name of homeowners' association)*. Pursuant to section 720.303(10), Florida Statutes, any board director may be recalled and removed from office with or without cause by the vote or agreement in writing by a majority of all the voting interests. Rule 61B-81.003, Florida Administrative Code, governs recall by written agreement. This recall ballot may be used for one successive recall effort occurring within 120 days from the date the ballot was signed by the homeowner if the first recall effort is unsuccessful. Any revocation of this agreement must be in writing and delivered to the board prior to service of the recall agreement on the board. **THE BOARD DIRECTORS SUBJECT TO RECALL ARE LISTED BELOW. PLEASE CAST YOUR VOTE BY MARKING EITHER THE "RECALL" OR "RETAIN" BOX NEXT TO EACH BOARD DIRECTOR'S NAME.** ***(Note that these boxes cannot be pre-marked but must be filled out by the voter.)***

		RECALL	RETAIN
Name of board director	KEVIN MACK	☒	☐
Name of board director	EDWARD BURDON	☒	☐
Name of board director		☐	☐
Name of board director		☐	☐
Name of board director		☐	☐
Name of board director		☐	☐
Name of board director		☐	☐

BLOCK B

BALLOT FOR REPLACEMENT OF BOARD DIRECTORS (use only where at least a majority of the board is being recalled)

The individuals listed below have indicated their willingness to replace the recalled board directors. You may vote for these candidates by marking the box next to the candidate's name OR you may write in the name of a write-in candidate. **In any event, do not vote for more than a total of the number of directors sought to be recalled, including write-in candidates.**

		In Favor of
Name of replacement board director	SHARON MCDANIEL	☒
Name of replacement board director	DAVID MACMORRAN	☒
Name of replacement board director		☐
Name of replacement board director		☐
Name of replacement board director		☐
Name of replacement board director		☐
Name of replacement board director		☐
Write-In Candidate		☐

BLOCK C

JURY ZASLAWSKI — Homeowner (Print name)

GOLF COURSE PKWY — Parcel Address

By signing this document, I affirm that I am authorized in the manner required by the governing documents to cast this vote on behalf of this parcel.

Homeowner(s) Signature

3/29/26 — Date signed

HOMEOWNERS' REPRESENTATIVE: The person identified below has been designated as the homeowners' representative who will receive the recall agreements, open the written agreements, tally the votes, serve copies of the agreements on the board, and receive other information on behalf of the homeowners: *(below, fill in the name and address of the homeowners' representative)*

LARRY BASSETT
318 BOXWOOD DRIVE
DAVENPORT, FLORIDA 33837

Parcel Details: 27-26-28-706440-001090

Owners *Recently purchased this property? Click here.*

ZASLAWSKI JURI GEORGE	50%
ZASLAWSKI JOSEPHINE R	50%

Mailing Address *(Address Change form)*

1234 GOLF COURSE PKWY
DAVENPORT FL 33837-5540

Physical Street Address *Why postal city and municipality? Click here.*

1234 GOLF COURSE PKWY

Postal City and Zip

DAVENPORT FL 33837

Parcel Information

Municipality	**Unincorporated Polk County (Code: 90000)**
Neighborhood	**130071.00** Search Recent Sales in this Neighborhood
Subdivision	**FOREST AT RIDGEWOOD PB 94 PGS 24 THRU 26**
Property (DOR) Use Code	**SFR Golf course front (Code: 0186)**
Acreage	**0.20**
Community Redevelopment Area	**NOT IN CRA**

Property Desc

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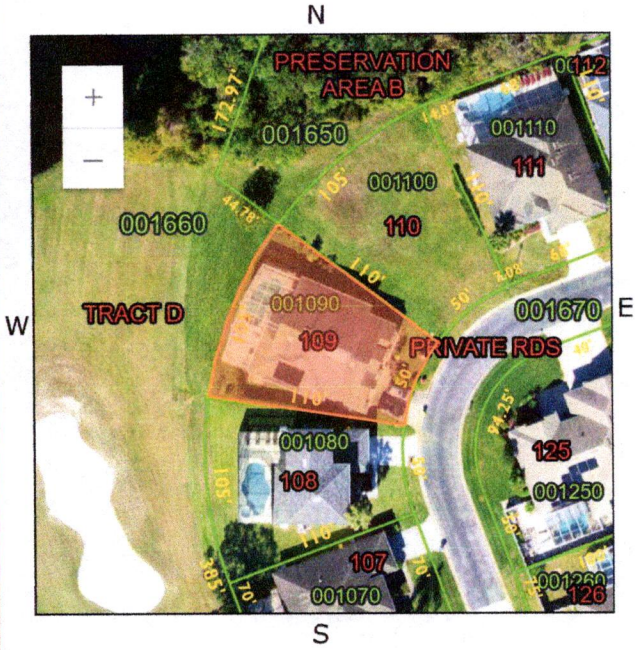
Area Map



Recorded Plat

Recorded Plat for this parcel

Section Maps for 272628

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Printable PDF

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		RECALL	RETAIN
Name of board director	KEVIN MACK	☒	☐
Name of board director	EDWARD BURDON	☒	☐
Name of board director		☐	☐
Name of board director		☐	☐
Name of board director		☐	☐
Name of board director		☐	☐
Name of board director		☐	☐

BLOCK B

BALLOT FOR REPLACEMENT OF BOARD DIRECTORS (use only where at least a majority of the board is being recalled)

The individuals listed below have indicated their willingness to replace the recalled board directors. You may vote for these candidates by marking the box next to the candidate's name OR you may write in the name of a write-in candidate. **In any event, do not vote for more than a total of the number of directors sought to be recalled, including write-in candidates.**

		In Favor of
Name of replacement board director	SHARON MCDANIEL	☒
Name of replacement board director	DAVID MACMORRAN	☒
Name of replacement board director		☐
Name of replacement board director		☐
Name of replacement board director		☐
Name of replacement board director		☐
Name of replacement board director		☐
Write-In Candidate		☐

BLOCK C

J. ZASLAWSKI — Homeowner (Print name)

1234 GOLF COURSE PKWY — Parcel Address

By signing this document, I affirm that I am authorized in the manner required by the governing documents to cast this vote on behalf of this parcel.

JZaslawski — Homeowner(s) Signature

3-29-2026 — Date signed

HOMEOWNERS' REPRESENTATIVE: The person identified below has been designated as the homeowners' representative who will receive the recall agreements, open the written agreements, tally the votes, serve copies of the agreements on the board, and receive other information on behalf of the homeowners: *(below, fill in the name and address of the homeowners' representative)*

LARRY BASSETT
318 BOXWOOD DRIVE
DAVENPORT, FLORIDA 33837

Parcel Details: 27-26-28-706440-001380

Owners *Recently purchased this property? Click here.*

DUGAN KENNETH F	50%
DUGAN MARY E	50%

Mailing Address *(Address Change form)*

147 SOUTHERN PINE WAY
DAVENPORT FL 33837-5507

Physical Street Address *Why postal city and municipality? Click here.*

147 SOUTHERN PINE WAY

Postal City and Zip

DAVENPORT FL 33837

Parcel Information

Municipality	**Unincorporated Polk County (Code: 90000)**
Neighborhood	**130071.00** Search Recent Sales in this Neighborhood
Subdivision	**FOREST AT RIDGEWOOD PB 94 PGS 24 THRU 26**
Property (DOR) Use Code	**SFR up to 2.49 AC (Code: 0100)**
Acreage	**0.19**
Community Redevelopment Area	**NOT IN CRA**

Property Desc

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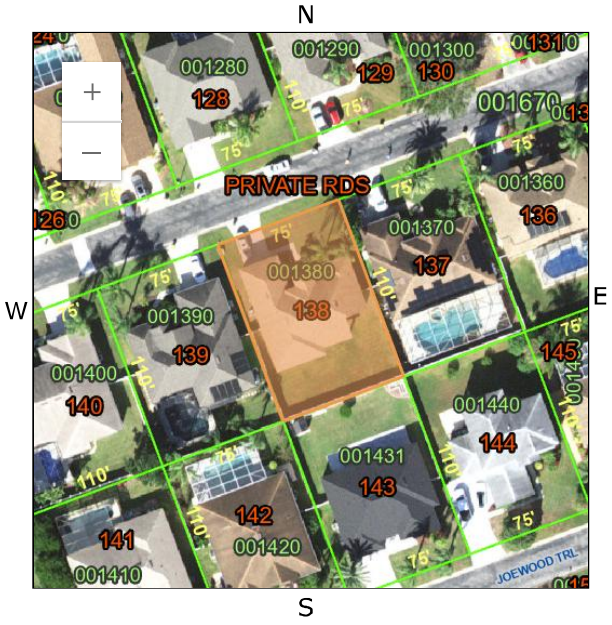
Area Map



Recorded Plat

Recorded Plat for this parcel

Section Maps for 272628

HTML (opens in new tab)
Printable PDF

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Last Updated: Tuesday, September 8, 2026 at 2:08:05 AM

RESPONDENT'S EXHIBIT 5

Case No. **2026-05-5113**

Larry Bassett, Respondent

Date: **September 7, 2026**

Title: Statutory Text (§720.303(10), Rule 61B-81.003)

Department of Business and Professional Regulation

Division of Florida Condominiums, Timeshares, and Mobile Homes

Capital Commerce Center
2601 Blair Stone Road
Tallahassee, Florida
32399-1030
Telephone 850.414.6867
Facsimile 850.487.0870

Mandatory Binding Arbitration (HOA)

CHAPTERS 61B-80 Through 81, FLORIDA ADMINISTRATIVE CODE

Revised July 2017

NOTICE TO RECIPIENT

This publication contains information concerning the mandatory binding arbitration program for homeowners' association conducted by the Division of Florida Condominiums, Timeshares, and Mobile Homes. The division employs in-house attorneys to act as arbitrators to hear and decide certain types of disputes between owners and their associations, including election and meeting disputes, and recall disputes. The division provides an index of final arbitration orders and a general online search that provides orders entered in the program. The index may be viewed on the web along with other arbitration materials located at http://www.myfloridalicense.com/DBPR/condos-timeshares-mobile-homes/final-order-indexes/.

The information contained in this package includes standard forms that are used in the arbitration program, including the standard petition form, the answer form, as well as the procedural rules of the program and a copy of the portion of the homeowners' association act that creates the arbitration program.

The Florida Statutes and administrative rules change periodically. Please ensure that you are referring to the most up-to-date version.

E-mail Address:
arbitration.ctmh@myfloridalicense.com

Web Address:
http://www.myfloridalicense.com/DBPR/condos-timeshares-mobile-homes/homeowners-associations/

CHAPTER 61B-80
THE ARBITRATION RULES OF PROCEDURE GOVERNING
RECALL AND ELECTION DISPUTES IN HOMEOWNERS' ASSOCIATIONS

61B-80.101	Scope, Organization, Procedure, Forms, and Title
61B-80.102	Filing for Recall Dispute Arbitration
61B-80.103	Filing for Election Dispute Arbitration
61B-80.104	Expedited Procedure for Determination of Jurisdiction
61B-80.105	Computation of Time
61B-80.106	Parties; Appearances; Substitution and Withdrawal of Counsel
61B-80.107	Who May Appear; Criteria for Other Qualified Representatives
61B-80.108	Communication with an Arbitrator
61B-80.109	Withdrawal or Dismissal of Petition; Settlement
61B-80.110	Filing; Service of Papers; Signing
61B-80.111	Answer and Defenses
61B-80.112	Defaults and Final Orders on Default
61B-80.113	Motions; Motions for Temporary Injunctive Relief
61B-80.114	Summary Disposition; Simplified Arbitration Procedure; No Disputed Issues of Material Fact
61B-80.115	Discovery
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61B-80.1165	Non-Final Orders
61B-80.117	Subpoenas and Witnesses; Fees
61B-80.118	Stenographic Record and Transcript
61B-80.119	Conduct of Formal Hearing; Evidence
61B-80.120	Notice of Final Hearing; Scheduling; Venue; Continuances
61B-80.121	Final Orders and Appeals
61B-80.122	Technical Corrections; Rehearing
61B-80.123	Motions for Attorney's Fees and Costs
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61B-80.101 Scope, Organization, Procedure, Forms, and Title.

(1) This chapter shall be entitled "The Arbitration Rules of Procedure Governing Recall and Election Disputes in Homeowners' Associations" and shall govern the arbitration of election disputes and recall disputes arising in a homeowners' associations governed by Chapter 720, F.S. For purposes of these rules "homeowners" means "members" and "parcel owners" who are voting members of the association as those terms are defined by Section 720.301, F.S. This chapter applies to all recall and election arbitration proceedings held pursuant to Section 720.303, 720.306, or 720.311, F.S.; these provisions shall only apply to election and recall disputes that exist on or after October 1, 2004. The provisions of Chapters 61B-45 and 61B-50, F.A.C., are incorporated herein by reference to the extent those chapters are consistent with these rules. These rules also apply to all arbitration proceedings referred to the division and conducted after mediation pursuant to Section 720.311(2)(b), F.S.

(2) All petitions and other papers filed with the division for election or recall arbitration pursuant to Section 720.303, 720.306, or 720.311, F.S., and these rules, shall be filed at the official headquarters of the Department of Business and Professional Regulation, Division of Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030, except that a petition or other pleading may be filed with the division via telefax at (850) 921-5446. All forms referenced in these rules may be obtained online at: http://www.myflorida.com/dbpr/.

(3) In order to file a petition for recall arbitration, a petitioner must use DBPR FORM HOA 6000-4, MANDATORY BINDING ARBITRATION FORM PETITION–RECALL DISPUTE, incorporated herein by reference and effective 2-3-05. In order to file a petition for election arbitration, a petitioner must use DBPR FORM HOA 6000-3, MANDATORY BINDING ARBITRATION FORM PETITION-ELECTION DISPUTE, incorporated by reference and effective 2-3-05. In order for someone who is not a member of the Florida Bar to represent a party in a proceeding, the person must file a completed DBPR FORM HOA 6000-6, HOA QUALIFIED

REPRESENTATIVE APPLICATION, incorporated herein by reference and effective 2-3-05. An answer to a petition for arbitration for recall or election dispute arbitration must be filed using DBPR FORM HOA 6000-9, HOA ANSWER TO PETITION, incorporated herein by reference and effective 2-3-05. A request for an expedited determination of whether jurisdiction exists to hear a particular dispute shall be filed on DBPR FORM HOA 6000-7, REQUEST FOR EXPEDITED DETERMINATION OF JURISDICTION, incorporated herein by reference and effective 2-3-05.

Rulemaking Authority 718.1255(4)(i), 718.112(2)(j)5., 720.303(10)(d), 720.306(9), 720.311(1) FS. Law Implemented 720.303(10), 720.306(9), 720.311(1) FS. History–New 2-3-05.

61B-80.102 Filing for Recall Dispute Arbitration.

(1) Where the homeowners attempt to recall one or more directors of a board of a homeowners' association by written agreement, ballot, or vote taken at a meeting, the board of directors shall initiate a recall arbitration by filing a petition for recall arbitration with the division as provided by this rule. Where the homeowners attempt to recall one or more directors of a board at a homeowners meeting or by an agreement in writing or written ballot, and the board does not certify the recall, the board shall file a petition for arbitration with the division within five full business days after adjournment of the board meeting at which the board determined not to certify the recall. Where the board fails to file a petition for recall arbitration as required by these rules and Chapter 720, F.S., the homeowners seeking to challenge the board's decision not to certify the recall, or not to file for recall arbitration, may file a petition for arbitration pursuant to these rules.

(2) Form of Petition. The term "petition" as used in this rule includes any application or other document that expresses a request for arbitration of a recall of one or more board directors. The petition shall comply with the provisions of this rule, and be printed, typewritten or otherwise duplicated in legible form on one side of the paper only with lines double-spaced. A party filing a petition for recall arbitration shall utilize DBPR FORM HOA 6000-4, MANDATORY BINDING ARBITRATION FORM PETITION-RECALL DISPUTE and shall submit the $200 filing fee with the petition.

(3) All petitions for arbitration of a recall filed by an association or by the homeowners who voted in favor of recall shall be signed by either a member of the Florida Bar, or by a qualified representative who has submitted an application to appear pursuant to Rule 61B-80.101, F.A.C. Each petition shall contain:

(a) The name and address of the association, the number of total voting interests in the association, the number of voting interests voting for recall of each board member sought to be recalled, the number of recall votes rejected by the board as to each candidate subject to the recall, and the total number of seats on the board at the time that the recall is served on the board;

(b) The name or names of the board director or directors who were recalled;

(c) The name and address of the homeowner representative selected, pursuant to subparagraph 61B-81.002(2)(b)3. or paragraph 61B-81.003(1)(f), F.A.C., to receive pleadings, notices, or other papers on behalf of the recalling homeowners;

(d) A statement of whether the recall was by vote at a meeting of the homeowners or by written agreement.

(e) If the recall was by vote at a meeting, the petition shall state the date of the meeting of the homeowners and the time the meeting was adjourned; if the recall was by written agreement, the petition shall state the date and time of receipt of the written agreement by the board, and a copy of the written agreement to recall shall be attached to the petition;

(f) The date of the board meeting at which the board determined not to certify the recall, and the time the meeting was called to order and adjourned;

(g) A copy of the minutes of the board meeting at which the board determined not to certify the recall;

(h) Each specific basis upon which the board based its determination not to certify the recall, including the parcel number and specific defect to which each challenge applies. Any specific reason upon which the board bases its decision not to certify the recall that is stated in the petition for recall arbitration, but absent from the board meeting minutes or attachments thereto, shall be ineffective and shall not be considered by the arbitrator. A board director may be recalled with or without cause. The fact that a homeowner may have received misinformation is not

a valid basis for rejecting a recall agreement and shall not be considered by the arbitrator;

(i) Any relevant sections of the bylaws, articles of incorporation, the declaration of covenants, and rules, including all amendments thereto, as well as any or other documents that are pertinent to the petition; and

(j) Any other information that the petitioner contends is material.

(4) If, during the pendency of a recall arbitration, the homeowners attempt another recall effort and the board files another petition for arbitration, the newly filed petition shall be consolidated with the pending case.

(5) Upon receipt and review of a petition for arbitration of a recall of one or more board directors, the division shall review the petition to verify that it contains all required information and that the petition states a valid claim for relief. If the petition is accepted, within 10 days of the filing of the petition, the arbitrator shall serve the respondent homeowners or other named respondents by mailing a copy of the petition and an order allowing answer by United States certified mail to the representative of the recalling homeowners identified in the petition or other named respondent.

(6) As provided by Section 720.303(10), F.S., the board of directors must hold a board meeting within 5 full business days after its receipt of a recall agreement in writing or the written recall ballots, and further, the board must within 5 full business days of the board meeting, file a petition for recall arbitration if the board determines not to accept the recall of one or more board directors. The time periods contained in Section 720.303(10), F.S., operate in the manner of statutes of limitation and are therefore subject to equitable considerations. However, where the board fails to timely comply with these rules relating to the calling and holding of a meeting on whether to certify a recall, or fails to comply with these rules relating to the filing of a petition for recall arbitration, the board must provide justification and must demonstrate that its actions or inactions were taken or based in good faith. The board's claims of excusable neglect or the inability to identify defects in the recall effort within the time provided will not be considered as proper defenses. The failure of an association to timely file a petition for recall arbitration within the time limits imposed under these rules or Chapter 720, F.S., will result in the certification of the recall and the immediate removal of the board directors subject to recall; however, the failure of the association to timely call or hold a board meeting or to file a petition for recall arbitration will not validate a written recall that is otherwise void at the outset for failing to obtain a majority of the voting interests or is deemed fatally defective for failing to substantially comply with the provisions of these rules.

Rulemaking Authority 718.1255(4)(i), 718.112(2)(j)5., 720.303(10)(d), 720.311(1) FS. Law Implemented 720.303(10), 720.311(1) FS. History–New 2-3-05.

61B-80.103 Filing for Election Dispute Arbitration.

(1) An election arbitration is commenced upon the filing of a petition for mandatory binding arbitration pursuant to Sections 720.306 and 720.311, F.S., and conforming to the requirements of this rule. The term "petition" as used in this rule includes any application or other document that expresses a request for arbitration of an election dispute. The petition shall comply with the provisions of this rule, and be printed, typewritten or otherwise duplicated in legible form on one side of the paper only with lines double-spaced. A party filing a petition for election arbitration shall utilize DBPR FORM HOA 6000-3, MANDATORY BINDING ARBITRATION FORM PETITION–ELECTION DISPUTE and shall include a $200 filing fee, incorporated in subsection 61B-80.101(3), F.A.C.

(2) Election disputes include a controversy relating to the conduct of a regular, special, or runoff election; the qualification of candidates for the board; the filling of a vacancy caused by any reason other than the recall of one or more directors of the board; and other disputes regarding an association election.

Rulemaking Authority 718.1255(4)(i), 718.112(2)(j)5., 720.303(10)(d), 720.306(9), 720.311(1) FS. Law Implemented 720.303(10), 720.306(9), 720.311(1) FS. History–New 2-3-05.

61B-80.104 Expedited Procedure for Determination of Jurisdiction.

(1) Any party who is in doubt as to whether a controversy falls within the jurisdiction of the division may file with the division a request for expedited determination of jurisdiction by filing a completed DBPR FORM HOA 6000-7, REQUEST FOR EXPEDITED DETERMINATION OF JURISDICTION, incorporated in subsection 61B-

80.101(3), F.A.C. A request for expedited determination of jurisdiction shall be accompanied by a completed DBPR FORM HOA 6000-3, MANDATORY NON-BINDING ARBITRATION PETITION FORM, incorporated in subsection 61B-80.101(3), F.A.C., which shall include the $200.00 filing fee provided by Section 720.311, F.S.

(2) If the determination of jurisdiction is subject to reasonable dispute, within 10 days of the assignment of a request for relief pursuant to this rule, the arbitrator shall deliver by United States mail to all other persons involved with the dispute, a copy of the request for expedited determination of jurisdiction, and shall provide such persons an opportunity to serve a response on the issue of whether the dispute falls within the jurisdiction of the division.

Rulemaking Authority 718.1255(4)(i), 718.112(2)(j)5., 720.303(10)(d), 720.306(9), 720.311(1) FS. Law Implemented 720.303(10), 720.306(9), 720.311(1) FS. History–New 2-3-05.

61B-80.105 Computation of Time.

(1) Recall Time Calculation. In computing the five full business days prescribed by Sections 720.303(10)(b)2., 720.303(10)(c)2., and 720.303(10)(d), F.S., and these rules, in which the board is required to duly notice and hold a board meeting and file for recall arbitration with the division, the day that the board is served with notice of the recall and the day of the board meeting shall not be included. The last day of the period shall be included unless it is a Saturday, Sunday or legal holiday as prescribed by Section 110.117, F.S., in which event the period shall run until the end of the next business day. For example, if a recall petition is served on the board on June 1, 2004, a Tuesday, the board must duly notice and hold a board meeting to determine whether to contest the recall not later than Monday, June 7, 2004. Likewise, if the board meeting on whether to certify the recall is held on Monday, June 7, 2004, the board shall file its petition for recall arbitration not later than the close of business on Monday, June 14, 2004.

(2) Additional Time after Service by Mail. Unless otherwise ordered by the arbitrator, during the pendency of a case, when a party is required or permitted by these rules or by order of the arbitrator to do an act within a prescribed period after the service of an order or pleading upon that party, and the order or pleading is served by regular United States mail, five days shall be added to the prescribed period. No additional time shall be added to the prescribed period if service is made by hand, facsimile transmission, or other electronic transmission. This provision does not apply to the filing of the petition for recall arbitration which must be filed by the board within 5 business days of the board meeting on whether to certify the recall. In addition, no additional time is added by operation of this rule for a motion for rehearing that must be filed (e.g., received) by the division within 15 days of entry of a final order. No additional time is added by operation of this rule for the filing of a motion for costs and attorney's fees that must be filed (e.g., received) by the division within 30 days of entry of a final order or final order on motion for rehearing.

Rulemaking Authority 718.1255(4)(i), 718.112(2)(j)5., 720.303(10)(d), 720.306(9), 720.311(1) FS. Law Implemented 720.303(10), 720.306(9), 720.311(1) FS. History–New 2-3-05.

61B-80.106 Parties; Appearances; Substitution and Withdrawal of Counsel.

(1) Parties in any proceeding conducted in accordance with Section 720.303, 720.306, or 720.311, F.S., are petitioners or respondents.

(2) The petitioner in a recall arbitration proceeding may be the association, where the board seeks to challenge a recall effort of the homeowners, or may be the homeowners voting in favor of recall where the association fails to timely file a petition for recall arbitration. Where the association through the board timely files for recall arbitration, the respondents shall be the group of homeowners who voted at a meeting, or who executed a written agreement, to recall one or more directors of the board. Every homeowner who voted in favor of recall and who did not revoke his or her vote prior to service on the board of the recall agreements shall be deemed to be a party in the recall arbitration proceeding. Where the homeowners voting in favor of recall file the petition for recall arbitration, the respondent shall be the association.

(3) Parties in an election dispute shall be involved homeowners and the association.

(4) All parties shall receive copies of all pleadings, motions, notices, orders, and other matters filed in arbitration proceedings in the manner provided by Rule 61B-80.108, F.A.C.

(5) An attorney or qualified representative who has filed a petition or has otherwise become the attorney or representative of record for a party to a proceeding shall be permitted to withdraw from representation only upon the filing of a suitable motion with the arbitrator, which motion shall provide a correct mailing address for the client. Only attorneys licensed to practice law in Florida shall be permitted to appear as counsel of record, except that an attorney licensed out of state may apply to the arbitrator for permission to appear in an individual proceeding.

Rulemaking Authority 718.1255(4)(i), 718.112(2)(j)5., 720.303(10)(d), 720.306(9), 720.311(1) FS. Law Implemented 720.303(10), 720.306(9), 720.311(1) FS. History–New 2-3-05.

61B-80.107 Who May Appear; Criteria for Other Qualified Representatives.

(1) Any person who appears before any arbitrator has the right, at that person's own expense, to be accompanied, represented and advised by a member of the Florida Bar or by a qualified representative who is not a member of the Florida Bar, but who shall demonstrate his or her familiarity with and understanding of these rules of procedure, and with any relevant portions of Chapter 720, F.S., and the rules promulgated by the division.

(2) If a person wishes to be represented by a qualified representative, the arbitrator shall make diligent inquiry of the prospective representative during a non-adversarial proceeding, under oath, to assure that the prospective representative is qualified to appear in the arbitration proceedings and is capable of representing the rights and interests of the person. In lieu of the above, the arbitrator may consider the prospective representative's sworn affidavit setting forth the representative's qualifications.

(3) If the arbitrator is satisfied that the prospective non-attorney representative has the necessary qualifications to render competent and responsible representation of the homeowner's interest in a manner that will not impair the fairness of the proceedings or the correctness of the action to be taken, the arbitrator shall authorize the prospective non-attorney representative to appear in the pending arbitration.

(4) A representative named in the initial petition or who has filed a notice of appearance shall remain the representative of record and shall receive pleadings and continue in a representative capacity until the representative's withdrawal has been approved in writing by the arbitrator.

(5) Any successor or associated attorney or other non-attorney representative shall file a notice of appearance prior to, or at the time of, the filing of any pleading with, or appearance before, the arbitrator.

(6) Standards of Conduct.

(a) A representative shall exercise due diligence in the filing and argument of any motion or pleading. All motions or pleadings shall be filed and argued in good faith.

(b) The signature of a representative upon any motion or pleading shall constitute a certificate that the representative has read the motion or pleading, that to the best of the representative's knowledge it is supported by good faith grounds and that it has not been presented solely for the purpose of delay.

(c) A representative shall advise the client to observe and to obey the law.

(d) A representative shall not:

1. Engage in conduct involving dishonesty, fraud, deceit or misrepresentation; or engage in conduct that is prejudicial to the administration of the arbitration process;

2. File a pleading, assert a position, conduct a defense, delay an arbitration proceeding or take other action on behalf of the client when such action would serve merely to harass or maliciously injure another;

3. Handle a legal or factual matter which the representative knows or should know that the representative is not competent to handle without associating an attorney or another qualified representative; or handle a legal or factual matter without adequate preparation;

4. State or imply that he or she is able to improperly influence the arbitrator or any agency or public official;

5. Communicate or cause another to communicate with an adverse party regarding matters at issue in the arbitration proceeding where the representative knows that the adverse party is represented by an attorney or other qualified representative;

6. Disregard or advise the client to disregard a rule or statute of an agency or a ruling of an arbitrator made in the course of an arbitration proceeding;

7. Conceal or knowingly fail to disclose that which one is bound to reveal by law;

8. Knowingly use perjured testimony or false evidence, or withhold any evidence that the representative or the client should produce;

9. Knowingly make a false statement of law or fact;

10. Advise or cause a person to secrete himself or herself for the purpose of making the person unavailable as a witness therein; pay, offer to pay or acquiesce in the payment of compensation to a witness contingent upon the content of the witness's testimony or the outcome of the case; counsel or advise a witness to provide other than honest testimony.

Rulemaking Authority 718.1255(4)(i), 718.112(2)(j)5., 720.303(10)(d), 720.306(9), 720.311(1) FS. Law Implemented 720.303(10), 720.306(9), 720.311(1) FS. History–New 2-3-05.

61B-80.108 Communication with an Arbitrator.

(1) While a case is pending and within 15 days of entry of a final order, no party or other person directly or indirectly interested in an arbitration proceeding nor anyone authorized to act on behalf of a party or other interested person shall communicate verbally or in writing in the absence of all parties with an arbitrator or with the Department of Business and Professional Regulation concerning the merits of the arbitration proceeding, threaten an arbitrator, or offer an arbitrator any reward with respect to the conduct or outcome of a proceeding. No party or other interested person shall attempt to telephone or otherwise contact the arbitrator unless all parties are joined in the telephone call or otherwise included in the communication.

(2) An arbitrator who has received a communication prohibited by this rule, or who has received a threat or offer of reward by any person with respect to the conduct or outcome of a proceeding, shall place upon the record all written communications received, all written responses to such communications and a memorandum stating the substance of all oral communications received and all oral responses made, simultaneously serving all parties.

Rulemaking Authority 718.1255(4)(i), 718.112(2)(j)5., 720.303(10)(d), 720.306(9), 720.311(1) FS. Law Implemented 720.303(10), 720.306(9), 720.311(1) FS. History–New 2-3-05.

61B-80.109 Withdrawal or Dismissal of Petition; Settlement.

(1) A petitioner may withdraw or dismiss the petition in writing at any time prior to the entry of a final order. Such withdrawal or dismissal shall be without prejudice to re-filing the petition at a later date. Upon the filing of a dismissal or withdrawal, the arbitrator shall enter an order closing the case file. The filing of a dismissal or withdrawal shall not preclude an award of prevailing party costs and attorney's fees. Where a petitioner voluntarily dismisses the petition, such dismissal shall not relieve the petitioner of the requirement of mandatory binding arbitration for resolution of the dispute; the dispute shall not be filed in the courts but may be re-filed for binding arbitration at a later date.

(2) The petitioner or the parties may request dismissal of the case based on settlement of the dispute. The settlement of a dispute shall not preclude a later award of prevailing party costs and attorney's fees.

(3) Withdrawal of a petition for arbitration of a recall shall be with prejudice; that is, the recall petition can never be re-filed with reference to that recall effort. If the board withdraws the petition, unless otherwise provided in the final order, the recall shall be deemed certified and the board members recalled. The board member or members recalled shall turn over all association records in his or their possession within five full business days after the withdrawal is filed (i.e., received by the division).

(4) Where a respondent undertakes corrective action that ends the dispute between the parties, the respondent shall immediately so notify the arbitrator.

Rulemaking Authority 718.1255(4)(i), 718.112(2)(j)5., 720.303(10)(d), 720.306(9), 720.311(1) FS. Law Implemented 720.303(10), 720.306(9), 720.311(1) FS. History–New 2-3-05.

61B-80.110 Filing; Service of Papers; Signing.

(1) Filing. Unless specifically ordered by the arbitrator or provided for by these rules, every pleading or other paper filed in the proceedings, except an initial petition for arbitration, shall also be served on each party.

(2) Method and Proof of Service.

(a) When service is to be made upon a party represented by an attorney or by a qualified representative, service shall be made upon the attorney or representative unless service upon the party is ordered by the arbitrator. Service shall be made by delivering or mailing, by United States mail postage prepaid, a copy of the document to the attorney, representative, or party at that person's last known address.

(b) In a recall arbitration proceeding, when the homeowners have not designated a homeowner representative to represent their interests or when the homeowner representative cannot be ascertained, the arbitrator shall require that the association post a copy of the petition for recall arbitration, the order allowing answer, or other pleading or order on the association property in the same location as it posts notices of meetings in accordance with Section 720.303(2)(c)1., F.S.

(c) Certificate of Service. When any attorney, representative, or unrepresented party signs a certificate of service such as the following, the certificate of service shall be taken as evidence of service in compliance with these rules:

"I certify that a copy hereof has been furnished to (here insert name or names and address or addresses) by United States (U.S.) mail this ___ day of ___ , 20__ ."

_____

Signature

(3) Number of Copies. Only the original of all pleadings shall be filed with the arbitrator; no copies shall be filed. However, the initial petition for recall or election arbitration shall be accompanied by one (1) copy for the respondents.

(4) "Filing" shall mean actual receipt by the division during normal business hours or by the arbitrator during the course of a hearing. Pleadings including the initial petition or other communications may be filed by regular hard copy or facsimile, and if filed by facsimile, a hard copy of the pleading or other communication need not be filed with the arbitrator; however, the party using facsimile filing bears the burden of ensuring that the pleading or other correspondence has actually been filed with the arbitrator. If a document is filed via facsimile, the facsimile confirmation sheet shall be evidence of the date on which the division received the document. A facsimile copy is filed within the meaning of this rule when the facsimile copy of the document is received by the division. No pleadings shall be faxed that exceed 30 pages in length including attachments. When a party files a facsimile document with the arbitrator, the party shall also provide a facsimile copy to the other party if the fax number is available. If a party desires to receive orders via e-mail, the party must provide its e-mail address to the arbitrator assigned to the case.

(5) Any pleading or other document received after 5:00 p.m. shall be deemed to be filed as of 8:00 a.m. on the next regular business day.

(6) All pleadings and motions filed shall contain the following:

(a) The style of the proceeding involved:

(b) The case number, if any;

(c) The name of the party on whose behalf the pleading or motion is filed;

(d) The name, address, and telephone number of the person filing the pleading or motion;

(e) The signature of the person filing the pleading or motion; and

(f) A certificate of service attesting that copies have been furnished to other parties as required by paragraph (2)(c) of this rule.

Rulemaking Authority 718.1255(4)(i), 718.112(2)(j)5., 720.303(10)(d), 720.306(9), 720.311(1) FS. Law Implemented 720.303(10), 720.306(9), 720.311(1) FS. History–New 2-3-05.

61B-80.111 Answer and Defenses.

(1) After a petition for arbitration is filed and assigned to an arbitrator, the respondent will be mailed a copy of

the petition by the arbitrator, and will be given an opportunity to answer the petition. Unless a shorter time is ordered by the arbitrator in cases where the health, safety, or welfare of the resident(s) of a community is alleged to be endangered, a respondent in an election dispute shall file the answer with the arbitrator, and shall mail a copy to the petitioner, within 20 days after receipt of the petition. In a recall dispute, the respondent shall have 10 days in which to file an answer. The answer shall include all defenses and objections, and shall be filed on DBPR FORM HOA 6000-9, ANSWER TO PETITION, incorporated in Rule 61B-80.101, F.A.C. The answer shall not include a request for relief (counterclaim) against the petitioner. Any claim or request for relief must be filed as a new petition following the procedure provided in subsection 61B-80.101(3), F.A.C.

(2) The service of any motion under these rules does not alter the period of time in which to file an answer, except that service of a motion in opposition to the petition in an election dispute postpones the time for filing of the answer until 20 days after the arbitrator's ruling on the motion. The following defenses shall be made by motion in opposition to the petition:

(a) Lack of jurisdiction over the subject matter,

(b) Lack of jurisdiction over the person,

(c) Insufficiency of process,

(d) Insufficiency of service of process,

(e) Failure to state a cause of action, and

(f) Failure to join indispensable parties.

In the case of election arbitration proceedings, a motion making any of these defenses shall be made before the filing of the answer. The grounds on which any of the enumerated defenses are based and the substantial matters of law intended to be argued shall be stated specifically and with particularity in the responsive pleading or motion. Any ground not stated in the motion shall be deemed to be waived except any ground showing that the division lacks jurisdiction of the subject matter may be made at any time. In a recall proceeding, these enumerated defenses shall not be raised by motion but shall be included in the answer.

(3) Every defense in law or fact to a claim for relief in a petition shall be asserted in the answer. Unless otherwise determined by the arbitrator, any ground or defense not stated in the answer shall be deemed to be waived except any ground showing that the arbitrator lacks jurisdiction of the subject matter. Each defense shall be separately stated and shall include an identification of all facts upon which the defense is based.

Rulemaking Authority 718.1255(4)(i), 718.112(2)(j)5., 720.303(10)(d), 720.306(9), 720.311(1) FS. Law Implemented 720.303(10), 720.306(9), 720.311(1) FS. History–New 2-3-05.

61B-80.112 Defaults and Final Orders on Default.

(1) When a party fails to file or serve any responsive document in the action or has failed to follow these rules or a lawful order of the arbitrator, the arbitrator shall enter a default against the party where the failure is deemed willful, intentional, or a result of neglect. No service need be made on parties against whom a default has been entered, except that pleadings asserting new or additional claims against them shall be served in the manner provided for service of the original petition for arbitration.

(2) Final orders on default may be entered at any time after the entry of a default. The arbitrator shall require affidavits as necessary to determine damages. The arbitrator may, within a reasonable time following entry of the final order on default, not to exceed one year, set aside a final order on default for reasons of excusable neglect, mistake, surprise, or inadvertence.

Rulemaking Authority 718.1255(4)(i), 718.112(2)(j)5., 720.303(10)(d), 720.306(9), 720.311(1) FS. Law Implemented 720.303(10), 720.306(9), 720.311(1) FS. History–New 2-3-05.

61B-80.113 Motions; Motions for Temporary Injunctive Relief.

(1) During the course of a pending arbitration proceeding, a request to the arbitrator for an order granting some relief or request shall be made by written motion, unless made during a hearing. The motion shall state in detail the grounds for the relief requested and shall set forth the relief or order sought. The arbitrator shall conduct such proceedings and render such orders as are deemed necessary to dispose of issues raised by motion. Other parties

may, within 7 days of service of a written motion or other time as provided by the arbitrator, file a written response in opposition to the motion.

(2) A party may, either with the original petition for arbitration, or any time before entry of a final order, file a motion for emergency relief or temporary injunction, which motion or accompanying argument shall demonstrate a clear legal right to the relief requested, that irreparable harm or injury exists or will result, that no adequate remedy at law exists, and that the relief or injunction would not be adverse to the public interest. An evidentiary hearing on a motion for emergency relief shall be scheduled and held as soon as possible after the filing of the motion and supporting petition for arbitration. The hearing will be held upon due notice after the petition for arbitration and motion are served on the opposing party and may be held prior to the filing of the answer.

(3) No temporary injunction shall be entered unless a bond is given by the movant in an amount the arbitrator upon testimony taken deems sufficient, conditioned for the payment of costs and damages sustained by the adverse party if the adverse party is wrongfully enjoined.

Rulemaking Authority 718.1255(4)(i), 718.112(2)(j)5., 720.303(10)(d), 720.306(9), 720.311(1) FS. Law Implemented 720.303(10), 720.306(9), 720.311(1) FS. History–New 2-3-05.

61B-80.114 Summary Disposition; Simplified Arbitration Procedure; No Disputed Issues of Material Fact.

(1) Any dispute that does not involve a disputed issue of material fact shall be arbitrated as provided in this rule. Where there are no disputed issues of material fact, no formal evidentiary hearing shall be conducted. The arbitrator shall decide the dispute based solely upon the pleadings and evidence filed by the parties.

(2) At any time after the filing of the petition, if the parties do not dispute the important facts in a case, the arbitrator shall summarily enter a final order denying relief requested in the petition if the arbitrator finds that no preliminary basis for relief has been demonstrated in the petition.

(3) At any time after the filing of the petition, if the parties do not dispute the important facts, the arbitrator shall summarily enter a final order awarding relief and failing to certify the recall if the arbitrator finds that no meritorious defense exists or if substantial compliance with the requirements of the rules and statutes relating to recall has not been demonstrated, and the petition is otherwise appropriate for relief.

(4) Any party may move for summary final order whenever there are no disputed issues of material fact. The motion shall be accompanied by supporting affidavits if necessary. All other parties may, within 7 days of service of the motion, file a response in opposition, with or without supporting affidavits.

Rulemaking Authority 718.1255(4)(i), 718.112(2)(j)5., 720.303(10)(d), 720.306(9), 720.311(1) FS. Law Implemented 720.303(10), 720.306(9), 720.311(1) FS. History–New 2-3-05.

61B-80.115 Discovery.

(1) The discovery process shall be used sparingly and only for the discovery of those things that are necessary for the proper disposition of the petition. Parties may obtain discovery only upon the prior approval of the arbitrator. A motion to conduct discovery shall describe with specificity the subject matter of the discovery and the method(s) by which discovery will be sought. The arbitrator may issue appropriate orders to effectuate the purposes of discovery and to prevent delay.

(2) Where discovery is permitted by order of the arbitrator, the parties may obtain discovery through the means and in the manner provided in rules 1.280 through 1.390, Florida Rules of Civil Procedure. However, a homeowner desiring to obtain copies of official association records for use in the proceeding shall utilize the owner's right of access to the official records as provided by Section 720.303, F.S., in lieu of formal discovery.

(3) A party may seek enforcement of an order directing discovery by filing a petition for enforcement in the circuit court of the judicial circuit in which the person failing to comply with the order resides.

(4) At any time after the filing of the petition for arbitration, the arbitrator may enter an order requiring the parties or either party to submit supplemental information, evidence or affidavits in support of, supplementing, explaining, or refuting any legal or factual assertion contained in a petition, answer, affirmative defense, or motion or other pleading.

Rulemaking Authority 718.1255(4)(i), 718.112(2)(j)5., 720.303(10)(d), 720.306(9), 720.311(1) FS. Law Implemented 720.303(10), 720.306(9), 720.311(1) FS. History–New 2-3-05.

61B-80.116 Conduct of Proceeding by Arbitrator.

(1) The failure or refusal of a respondent to comply with a provision of these rules or any lawful order of the arbitrator shall result in the striking of the answer including any defenses or pending claims where such failure is deemed willful, intentional, or a result of neglect.

(2) The failure or refusal of a petitioner to comply with any lawful order of the arbitrator or with a provision of these rules shall result in a dismissal of the petition where such failure is deemed willful, intentional, or a result of neglect.

(3) In order to expedite the case, the arbitrator may, without the agreement of the parties, conduct any proceeding permitted under these rules, including a motion hearing or final hearing, by telephone conference.

(4) At any time after a petition for arbitration has been filed with the division, the arbitrator may direct the parties to confer for the purpose of clarifying and simplifying issues, discussing the possibility of settlement, examining documents and other exhibits, exchanging names and addresses of witnesses, resolving other procedural matters, and entering into a prehearing stipulation.

Rulemaking Authority 718.1255(4)(i), 718.112(2)(j)5., 720.303(10)(d), 720.306(9), 720.311(1) FS. Law Implemented 720.303(10), 720.306(9), 720.311(1) FS. History–New 2-3-05.

61B-80.1165 Non-Final Orders.

(1) The presiding arbitrator before whom a case is pending may issue any orders necessary to effectuate discovery, to prevent delay, and to promote the just, speedy, and inexpensive determination of all aspects of the case.

(2) When a case is placed in abeyance or abated by a non-final order, no filing fee is necessary to reopen the case or otherwise proceed with the matter.

Rulemaking Authority 718.1255(4) FS. Law Implemented 718.1255(3)(c), 718.1255(4)(i), 720.311(1), 720.311(2)(c) FS. History–New 9-22-14.

61B-80.117 Subpoenas and Witnesses; Fees.

(1) A subpoena requiring the attendance of witnesses or the production of documents, whether for purposes of discovery or for purposes of a final hearing, may be served by any person authorized by law to serve process or by any person who is not a party and who is of majority age, as provided in rule 1.410, Florida Rules of Civil Procedure, or as that rule may subsequently be renumbered. Proof of such service shall be made by affidavit of the person making service if not served by an officer authorized by law to do so.

(2) All witnesses, other than public employees subpoenaed to appear in their official capacity, appearing pursuant to a subpoena shall be paid such fees and mileage for their attendance as set forth in Section 92.142, F.S., or as that statute may subsequently be renumbered. In the case of a public employee, such expenses shall be processed and paid in the manner provided for agency employee travel expense reimbursement; and, in the case of a witness who is not a public employee, payment of such fees and expenses shall accompany the subpoena.

(3) Any party or any person upon whom a subpoena is served or to whom a subpoena is directed may file a motion to quash or for protective order.

(4) Subpoenas shall be issued from the arbitrator in blank except for the case style, the case number, the name, address and telephone number of the attorney or party requesting issuance of the subpoena and the signature of the arbitrator assigned. Subpoenas shall be completed and served by the party requesting issuance of the subpoenas.

Rulemaking Authority 718.1255(4)(i), 718.112(2)(j)5., 720.303(10)(d), 720.306(9), 720.311(1) FS. Law Implemented 720.303(10), 720.306(9), 720.311(1) FS. History–New 2-3-05.

61B-80.118 Stenographic Record and Transcript.

(1) Any party wishing to obtain a stenographic record shall make such arrangements directly with the court reporter for such services and shall notify the other parties of such arrangements in advance of the hearing. The requesting party or parties shall bear all the costs of obtaining such a record.

(2) Any party may have a stenographic record and transcript made of the final hearing at the party's own expense. The record transcript may be used in subsequent legal proceedings subject to the applicable rules of evidence.

Rulemaking Authority 718.1255(4)(i), 718.112(2)(j)5., 720.303(10)(d), 720.306(9), 720.311(1) FS. Law Implemented 720.303(10), 720.306(9), 720.311(1) FS. History–New 2-3-05.

61B-80.119 Conduct of Formal Hearing; Evidence.

(1) Hearings shall be open to the public. However, the arbitrator shall exclude any observer, witness or party who is disruptive to the conduct of the hearing.

(2) Each party shall have the right to present evidence, cross-examine the other party's witnesses, enter objections, and to rebut the evidence presented against the party.

(3) The arbitrator is authorized to administer oaths. Oral testimony shall be taken only upon oath or affirmation.

(4) Unless otherwise ordered by the arbitrator, the petitioner shall present its evidence and witnesses. Thereafter, the respondent may present its evidence and witnesses.

(5) Evidence.

(a) An arbitration proceeding is less formal than a court proceeding. The arbitrator shall admit any relevant evidence if it is the kind of evidence on which reasonable, prudent persons rely in the conduct of their affairs. Reliable, relevant evidence may be presented by the parties. Facts are to be proven through the testimony of witnesses under oath at the final hearing and through documents admitted into evidence at the request of a party. Hearsay evidence (i.e., statements not made at the final hearing under oath, used to establish the truth of the matter asserted) may be used to supplement or explain other evidence, but is not sufficient to support a finding, unless the hearsay evidence would be admissible in a court of law. The rules of privilege shall be effective to the same extent that they are recognized in civil actions. Irrelevant and unduly repetitious evidence shall not be admitted into evidence.

(b) All exhibits shall be identified as petitioner's exhibits, respondent's exhibits, or as joint exhibits. The exhibits shall be marked in the order that they are received and made a part of the record.

(c) Documentary evidence may be received in the form of a photocopy.

(6) The arbitrator shall afford the parties an opportunity to submit proposed findings of fact, conclusions of law, and proposed orders, or legal briefs or memoranda on the issues, within a time designated by the arbitrator after the final hearing.

Rulemaking Authority 718.1255(4)(i), 718.112(2)(j)5., 720.303(10)(d), 720.306(9), 720.311(1) FS. Law Implemented 720.303(10), 720.306(9), 720.311(1) FS. History–New 2-3-05.

61B-80.120 Notice of Final Hearing; Scheduling; Venue; Continuances.

(1) The arbitrator shall set the time and place for all final hearings. The arbitrator shall serve written notice of the final hearing by regular mail on all parties of record.

(2) All hearings shall be held in the state of Florida. Whenever possible, hearings shall be held in the area of residence of the parties and witnesses or at the place most convenient to all parties as determined by the arbitrator.

(3) In the arbitrator's discretion, a duly scheduled hearing may be delayed or continued for good cause shown. Requests for a continuance shall be made in writing. Except in cases of emergency, requests for continuance must be made at least 10 days prior to the date noticed for the final hearing.

Rulemaking Authority 718.1255(4)(i), 718.112(2)(j)5., 720.303(10)(d), 720.306(9), 720.311(1) FS. Law Implemented 720.303(10), 720.306(9), 720.311(1) FS. History–New 2-3-05.

61B-80.121 Final Orders and Appeals.

(1) Unless waived, a final order shall be entered within 30 days after any final hearing, receipt by the arbitrator of the hearing transcript if one is timely filed, or receipt of any post-hearing memoranda, whichever is applicable. The final order shall be in writing and shall include a statement of whether or not the recall was certified. Failure to render a decision within such time period shall not invalidate the decision.

(2) The final order shall be mailed to the parties, if unrepresented, or to their counsel or other qualified representative of record by regular U.S. mail. The final order shall include a certificate of service that shall show the date of mailing of the final order to the parties.

(3) In reaching a decision, the arbitrator may take official notice of and find as true without proof, any fact which may be judicially noticed by the courts of this state, including any arbitration final order or any final order of the division involving a similar or related issue.

(4) A final order or nonfinal order is effective upon its issuance and mailing unless otherwise provided in the order or unless a stay of the order has been applied for and granted by the arbitrator. A final order certifying the recall of one or more board members takes effect upon the mailing of the final order. As of the moment of mailing, those board members found to be recalled cease to be authorized board members and shall not exercise the authority of the association.

(5) The final order of the arbitrator is binding on the parties and may not be appealed. The final order of the arbitrator does not constitute final agency action and is not appealable to the district courts of appeal in the manner provided by Section 120.68, F.S. In any subsequent judicial proceeding, for example, where a party sues in court to enforce the final order, the department, the division, and the arbitrator are not necessary or proper parties and shall not be named as parties.

(6) The arbitrator in the final order may grant mandatory or prohibitory relief, declaratory relief, or any other remedy or relief that is just and equitable. No final order shall include a civil penalty assessed against a party. Relief may include certification of an election or recall, decertification of an election or recall, a requirement that a new election be held, certification of a candidate for election, decertification of a candidate, requiring a board to fill a vacancy or hold an election to fill a vacancy, requiring a director to return association records to the board, and cease acting as a board member, or other relief as may be appropriate in a given case.

Rulemaking Authority 718.1255(4)(i), 718.112(2)(j)5., 720.303(10)(d), 720.306(9), 720.311(1) FS. Law Implemented 720.303(10), 720.306(9), 720.311(1) FS. History–New 2-3-05.

61B-80.122 Technical Corrections; Rehearing.

(1) Any party may file a motion for rehearing or a motion to correct any clerical mistake or error arising from oversight or omission in any final order entered by an arbitrator within 15 days of the date on which the order was entered. "Clerical corrections" shall be generally defined as computational corrections, correction of clerical mistake or typographical error or other minor corrections of error arising from oversight or omission; or an evident miscalculation of figures or an evident mistake in the description of any thing, person, or property referred to in the order; or an award by the arbitrator upon a matter not submitted. A motion for rehearing shall state with particularity the points of law or fact that the arbitrator has overlooked or misapprehended but shall not re-argue the merits of the final order. Any response shall be filed within 10 days of service of the motion.

(2) The arbitrator may on his or her own motion initiate entry of a corrected order as described by subsection (1) above within 60 days of the entry of the final order. A timely filed motion for rehearing tolls the time in which a party must file to recover its costs and attorney's fees, until after disposition of the motion for rehearing or reconsideration.

Rulemaking Authority 718.1255(4)(i), 718.112(2)(j)5., 720.303(10)(d), 720.306(9), 720.311(1) FS. Law Implemented 720.303(10), 720.306(9), 720.311(1) FS. History–New 2-3-05.

61B-80.123 Motions for Attorney's Fees and Costs.

(1) The prevailing party in a proceeding brought pursuant to Section 720.311, F.S., is entitled to an award of reasonable costs and attorney's fees. A prevailing party is a party that obtained a benefit from the proceeding and

includes a party where the opposing party has voluntarily provided the relief requested in the petition, in which case it is deemed that the relief was provided in response to the filing of the petition.

(2) Any party seeking an award of costs and attorney's fees must request the award in writing prior to the rendition of the final order, failing which no motion for costs and attorney's fees will be granted.

(3) A party prevailing in an arbitration proceeding must file a motion requesting an award of costs and attorney's fees within 30 days following entry of a final order, or final order on rehearing entered in response to a timely filed motion for rehearing. The motion is considered filed when it is actually received by the division.

(4) The motion must specify the hourly rate claimed and must include an affidavit of the attorney who performed the work that states the number of years the attorney has practiced law, must indicate each activity for which compensation is sought, and must state the time spent on each activity. In a case involving multiple issues or counts, the affidavit shall present time activity broken down by issue or count.

(5) If an award of costs is sought, the party seeking recovery of costs shall attach receipts or other documentation to provide evidence of the costs incurred. Costs will be awarded consistent with Florida case law and the Statewide Uniform Guidelines for Taxation of Costs in Civil Actions. The cost of personal service by an authorized process server is only a recoverable cost if such personal service is either authorized or required by the arbitrator. The cost of attending a hearing by a court reporter is a recoverable cost; the cost of preparing a transcript of the hearing is only a recoverable cost if the transcript or a portion thereof, is filed with the arbitrator prior to rendition of the final order.

Rulemaking Authority 718.1255(4)(i), 718.112(2)(j)5., 720.303(10)(d), 720.306(9), 720.311(1) FS. Law Implemented 720.303(10), 720.306(9), 720.311(1) FS. History–New 2-3-05.

61B-80.124 Department Fee.

(1) The department fee will be an amount adequate to cover all costs and expenses incurred by the department in conducting an arbitration proceeding pursuant to Section 720.311, F.S.

(2) The fee shall be the sum of the following costs:

(a) The sum of the "Labor Cost" for all employees who perform work on the case. The "Labor Cost" for an employee shall be calculated as follows: [(P x 1.35)/W] x H. Where P = the biweekly pay of the lowest pay grade for the employee's position title; 1.35 is a multiplier that takes into account the cost of pay and benefits for an employee; W = the biweekly contract hours for the employee; and H = hours directly related to the arbitration proceeding worked by the employee.

(b) The cost a contractor charges the department for any work directly related to the arbitration proceeding.

(c) Other proceeding costs directly related to the proceeding. For example direct costs include, but are not limited to, travel, long distance charges and photocopy expenses.

(3) If the arbitration proceeding involves an election dispute, petitioner and respondent shall be charged an equal share of the department's fee. Where the arbitration dispute involves a recall dispute, only the association shall be charged the department's fee.

(4) The department will send the party or parties an invoice for the department's fee. The petitioner and respondent shall pay the fee within thirty days of the date of the invoice. The department's acceptance of less than full payment by a party shall not be considered a waiver of its right to the full amount of the fee. The department's acceptance of the payment by one party does not relieve the other party or parties from payment of their share of the fee.

(5) The department shall have the right to collect any unpaid fee to the fullest extent permitted by the laws of this state.

Rulemaking Authority 720.311(1) FS. Law Implemented 720.311(1) FS. History–New 12-10-09.

(10) RECALL OF DIRECTORS.—

(a)1. Regardless of any provision to the contrary contained in the governing documents, subject to the provisions of s. 720.307 regarding transition of association control, any member of the board of directors may be recalled and removed from office with or without cause by a majority of the total voting interests.

2. When the governing documents, including the declaration, articles of incorporation, or bylaws, provide that only a specific class of members is entitled to elect a board director or directors, only that class of members may vote to recall those board directors so elected.

(b)1. Board directors may be recalled by an agreement in writing or by written ballot without a membership meeting. The agreement in writing or the written ballots, or a copy thereof, shall be served on the association by certified mail or by personal service in the manner authorized by chapter 48 and the Florida Rules of Civil Procedure.

2. The board shall duly notice and hold a meeting of the board within 5 full business days after receipt of the agreement in writing or written ballots. At the meeting, the board shall either certify the written ballots or written agreement to recall a director or directors of the board, in which case such director or directors shall be recalled effective immediately and shall turn over to the board within 5 full business days any and all records and property of the association in their possession, or proceed as described in paragraph (d).

3. When it is determined by the department pursuant to binding arbitration proceedings or the court in an action filed in a court of competent jurisdiction that an initial recall effort was defective, written recall agreements or written ballots used in the first recall effort and not found to be defective may be reused in one subsequent recall effort. However, in no event is a written agreement or written ballot valid for more than 120 days after it has been signed by the member.

4. Any rescission or revocation of a member's written recall ballot or agreement must be in writing and, in order to be effective, must be delivered to the association before the association is served with the written recall agreements or ballots.

5. The agreement in writing or ballot shall list at least as many possible replacement directors as there are directors subject to the recall, when at least a majority of the board is sought to be recalled; the person executing the recall instrument may vote for as many replacement candidates as there are directors subject to the recall.

(c)1. If the declaration, articles of incorporation, or bylaws specifically provide, the members may also recall and remove a board director or directors by a vote taken at a meeting. If so provided in the governing documents, a special meeting of the members to recall a director or directors of the board of administration may be called by 10 percent of the voting interests giving notice of the meeting as required for a meeting of members, and the notice shall state the purpose of the meeting. Electronic transmission may not be used as a method of giving notice of a meeting called in whole or in part for this purpose.

2. The board shall duly notice and hold a board meeting within 5 full business days after the adjournment of the member meeting to recall one or more directors. At the meeting, the board shall certify the recall, in which case such member or members shall be recalled effective immediately and shall turn over to the board within 5 full business days any and all records and property of the association in their possession, or shall proceed as set forth in paragraph (d).

(d) If the board determines not to certify the written agreement or written ballots to recall a director or directors of the board or does not certify the recall by a vote at a meeting, the board shall, within 5 full business days after the meeting, file an action with a court of competent jurisdiction or file with the department a petition for binding arbitration under the applicable procedures in ss. 718.112(2)(l) and 718.1255 and the rules adopted thereunder. For the purposes of this section, the members who voted at the meeting or who executed the agreement in writing shall constitute one party under the petition for arbitration or in a court action. If the arbitrator or court certifies the recall as to any director or directors of the board, the recall will be effective upon the final order of the court or the mailing of the final order of arbitration to the association. The director or directors so recalled shall deliver to the board any and all records of the association in their possession within 5 full business days after the effective date of the recall.

(e) If a vacancy occurs on the board as a result of a recall and less than a majority of the board directors are removed, the vacancy may be filled by the affirmative vote of a majority of the remaining directors, notwithstanding any provision to the contrary contained in this subsection or in the association documents. If vacancies occur on the

board as a result of a recall and a majority or more of the board directors are removed, the vacancies shall be filled by members voting in favor of the recall; if removal is at a meeting, any vacancies shall be filled by the members at the meeting. If the recall occurred by agreement in writing or by written ballot, members may vote for replacement directors in the same instrument in accordance with procedural rules adopted by the division, which rules need not be consistent with this subsection.

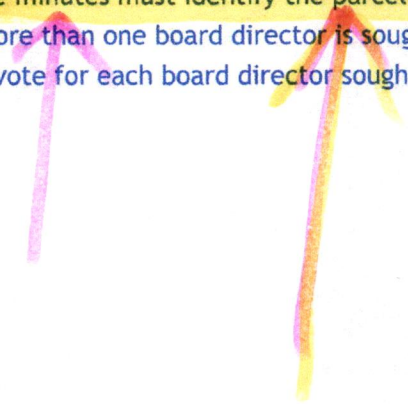
(f) If the board fails to duly notice and hold a board meeting within 5 full business days after service of an agreement in writing or within 5 full business days after the adjournment of the member recall meeting, the recall shall be deemed effective and the board directors so recalled shall immediately turn over to the board all records and property of the association.

(g) If the board fails to duly notice and hold the required meeting or fails to file the required petition or action, the parcel owner representative may file a petition or a court action under s. 718.1255 challenging the board's failure to act. The petition or action must be filed within 60 days after the expiration of the applicable 5-full-business-day period. The review of a petition or action under this paragraph is limited to the sufficiency of service on the board and the facial validity of the written agreement or ballots filed.

(h) If a director who is removed fails to relinquish his or her office or turn over records as required under this section, the circuit court in the county where the association maintains its principal office may, upon the petition of the association, summarily order the director to relinquish his or her office and turn over all association records upon application of the association.

(i) The minutes of the board meeting at which the board decides whether to certify the recall are an official association record. The minutes must record the date and time of the meeting, the decision of the board, and the vote count taken on each board member subject to the recall. In addition, when the board decides not to certify the recall, as to each vote rejected, the minutes must identify the parcel number and the specific reason for each such rejection.

(j) When the recall of more than one board director is sought, the written agreement, ballot, or vote at a meeting shall provide for a separate vote for each board director sought to be recalled.



RESPONDENT'S EXHIBIT 6

Case No. **2026-05-5113**

Larry Bassett, Respondent

Date: **September 7, 2026**

Title: DBPR Recall Precedent

Exhibit 6-A – Mandarin Lakes HOA Recall Case

DBPR Case No. 2016-01-4718 Type: Summary Final Order (Recall Arbitration)

Summary

This case involved a dispute over the certification of a recall where the association rejected ballots without conducting a proper statutory review. The arbitrator held that the Board must certify a recall when the ballots meet statutory requirements and that improper or unsupported ballot rejections cannot be used to defeat a majority recall.

Key Holdings

- The Board must conduct a **meaningful review** of each ballot.
- Ballots may only be rejected for **specific, documented statutory reasons**.
- The DBPR recall form is **presumptively valid** unless the Board proves otherwise.
- Arbitrators may overturn a Board's decision when the Board fails to follow **§720.303(10)** and **Rule 61B-81.003**.
- A recall must be certified when a **majority of voting interests** support removal.

Application to This Recall

- The Board in this case, like your Board, rejected ballots without proper review.
- Your Board scrolled through ~90 ballots in ~6 minutes, which is not meaningful review.

- Your Board rejected ballots without verifying parcel numbers, ownership, signatures, or authority.
- Your corrected total of **88 valid ballots** exceeds the statutory majority and must be certified.
- This precedent supports overturning the Board's improper rejection of ballots.

Exhibit 6-B – DBPR Arbitration Rules (Chapter 61B-80, F.A.C.)

Source: Florida Administrative Code – DBPR Arbitration Procedures

Summary

Chapter 61B-80 establishes the procedural framework for recall and election arbitration. It defines the standards for evidence, review, burden of proof, and arbitrator authority.

Key Holdings

- Boards must follow **formal procedures** when reviewing recall ballots.
- Arbitrators may issue **summary disposition** when facts are undisputed.
- Boards must comply with **§720.303(10)** and **Rule 61B-81.003** when reviewing ballots.
- Failure to follow procedure is grounds for overturning a Board's decision.
- Evidence must be **specific, documented, and relevant** to ballot validity.

Application to This Recall

- Your Board failed to follow the required statutory review process.

- No parcel-number verification was performed.
- No ownership verification was performed.
- No duplicate review was performed.
- No ambiguity resolution was performed.
- The Board's "review" consisted of scrolling through ballots without analysis.
- This rule set supports overturning the Board's certification failure.

Exhibit 6-C – DBPR Recall Arbitration Procedures (2023 Edition)

Source: DBPR – Recall Dispute Arbitration Guidelines

Summary

The DBPR Recall Arbitration Procedures outline the standards for filing, answering, reviewing, and deciding recall disputes. They emphasize the importance of proper ballot handling, verification, and documentation.

Key Holdings

- Boards must document the basis for each rejected ballot.
- Boards must verify parcel ownership and signature authority.
- Boards must resolve ambiguities in favor of the voting interest when possible.
- Arbitrators may overturn Board decisions when the Board fails to follow statutory requirements.
- Proper review requires **time**, **verification**, and **documentation**, not superficial scanning.

Application to This Recall

- Your Board rejected ballots without documenting reasons.
- Your Board failed to verify ownership for any rejected ballot.
- Your Board failed to resolve ambiguities.
- Your Board failed to check LLC or trust authority.
- Your Board failed to check duplicates properly.
- Your Board failed to conduct any meaningful review.
- This precedent supports your Exhibit 17 rebuttal and Exhibit 18 corrected totals.

Exhibit 6-D – DBPR Guidance on Ambiguous Ballots

Source: DBPR Recall Guide (Official)

Summary

The DBPR Recall Guide clarifies how ambiguous ballots must be handled. Ambiguity alone is not grounds for rejection unless the intent of the voting interest cannot be determined.

Key Holdings

- Ambiguous ballots must be interpreted using **parcel ownership records**.
- Boards must attempt to resolve ambiguity before rejecting a ballot.
- Ambiguity is not a valid rejection reason unless intent is truly unclear.
- Boards must document their reasoning for rejecting ambiguous ballots.

Application to This Recall

- Your Board rejected ballots without attempting to resolve ambiguity.
- Your Board rejected ballots that were clearly valid based on parcel records.
- Your Board failed to document any reasoning for ambiguous ballots.
- This supports your Exhibit 17 rebuttal and Exhibit 18 corrected totals.

RESPONDENT'S EXHIBIT 7

Case No. **2026-05-5113**

Larry Bassett, Respondent

Date: **September 7, 2026**

Title: DBPR Recall Guide (Official)

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Recall Procedures for Homeowners' Associations
Division of Florida Condominiums, Time Shares and Mobile Homes
Arbitration Section
2601 Blair Stone Road
Tallahassee, Florida 32399-1030

Recall Guide for Homeowners Seeking to Recall Members of Their Board of Directors.

INTRODUCTION

This guide is intended to provide a general overview of the process for recalling members of the board of directors of a homeowners' association. The laws and rules governing such recalls are subject to change. Therefore, before starting a recall, a homeowner should review the most current laws and rules.

Section 720.303(10)((a)1. of the Florida Statutes provides that a member or members of the a homeowners' association's board of directors may be removed by a vote of the majority of the association's voting interests. The statute also provides that the recall may be without cause. This means that the homeowners seeking the recall do not have to provide a reason for recalling a director. The homeowners simply have to follow the procedures of the statute and applicable administrative rules. Homeowners may recall a member or members of their board by a vote at homeowner meeting or by written recall agreement.

The statues and administrative rules applicable to recalls may be found at www.myfloridalicense.com/dbpr/lsc/statutes.html.
Additional information and resources may be found at the arbitration section's homeowners' association arbitration website:
www.myfloridalicense.com/dbpr/lsc/homeowners.html.

RECALL BY VOTE AT A MEETING

If permitted by the governing documents, Homeowners may recall board members by a vote taken during a meeting.[1] The procedural requirements for a recall at a meeting are challenging and complex. Therefore, a recall at a meeting is seldom successful and owners are strongly discouraged from attempting a recall in this manner even if the governing documents permit a recall at an owner meeting.[2] Therefore, this guide will focus on recall by written agreement.

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[1] Fla. Stat. 720.303(10)(c)1.

[2] Specific procedural requirements for this type of recall may be found in Rule 61B-81.002 of the Florida Administrative Code.

WRITTEN RECALL AGREEMENT

The requirements for a recall by written agreement are contained in Rule 61B-81.003 of the Florida Administrative Code.

A "written recall agreement" simply refers to separate recall ballots signed by unit owners that are served together on the association. It is highly recommended that the Division's approved sample recall ballot be used. It may be found at www.myfloridalicense.com/dbpr/lsc/documents/recall_agreement_ballot.pdf.[3] When filled out as indicated, the Division's form ballot will be accepted by an arbitrator as meeting the technical requirements found in the applicable statute and rule regarding the form of the ballot. This guide assumes that the Division's form ballot is being used.

The Homeowner Representative

The homeowners[4] should choose a person to serve as their representative. The homeowner representative coordinates the recall effort. If the board challenges the recall and petitions the Division for recall arbitration, the homeowner representative will have an opportunity to respond to the petition for arbitration filed by the board. The homeowners should choose someone who is accessible and lives in the development, will accept certified mail from the Division, and is willing to commit himself or herself to the task of coordinating the recall effort and defending the recall effort. This individual does not need to be an attorney, but should be someone who is familiar with the laws and procedures relating to recalls, and who is willing to become involved. Of course, the homeowners may choose to hire, at their own expense, an attorney to represent them.

The Recall Ballot

Use of the Division's approved recall form ballot will help homeowners to avoid many of the pitfalls and errors made in attempted recalls. The form recall ballot consists of three parts.

Block A of the recall ballot contains an introductory paragraph stating that the purpose of the agreement is to recall board members followed by a brief description of the applicable statutes and administrative rules. A blank space is provided for the association's name. It is important to make certain that the association's name is correct in order to avoid confusion.

The introductory paragraph is followed by the area where the voter votes to recall or retain board members. There are blank spaces provided for listing the names of the board members whose recall is sought. Although not required, the homeowner

[3] The recall ballot may also at times be referred to as the recall agreement.

[4] "Homeowners" is used throughout this document to refer to the homeowners seeking the recall.

representative or other people helping to coordinate the recall should print the names of the board members whose recall is sought. Care should be taken to ensure correct spelling of names in order to avoid possible confusion. It is not necessary to list all the current board members, just those whose recall is sought. The form ballot provides five spaces. If the recall involves more than five board members, the form may be modified to add additional board members.

Next to each board member's name are "recall" and "retain" boxes. By marking one of these boxes, the voter chooses either to recall or to retain the individual. It is important that the voter choose to either recall or retain (not recall) each director. **The marking of these boxes must be performed by the voter. If someone other than the voter pre-marks the recall/retain boxes, the ballot will be deemed invalid.**[5]

Block B of the recall ballot provides for the vote of replacement board members to fill the vacancies created by the recall. **This portion of the ballot should only be completed if the recall seeks to remove a majority or more of the board members.**[6] There should be at least as many replacement board members as board members whose recall is sought. This part of the ballot consists of an introductory paragraph followed by blank spaces to list replacement board member candidates. As with the recall vote, the voter must personally mark the voting box. If more replacement candidates are needed than spaces provided on the form ballot, additional spaces may be added as necessary. It should be noted that if the ballot is modified to add more spaces, it must include a space for a write-in candidate.

The replacement candidates should be persons willing to serve on the board and print these persons' names on the ballot. Ensure that the replacement candidates are eligible to serve on the board. A person might not be eligible to serve on the board for various reasons, for example, the governing documents require that a director be an owner.

Block C of the recall ballot provides spaces for the voter's printed name, signature, unit number and the date the ballot was signed. When signing the ballot, the owner should sign his or her name as listed in the official association roster. For clarity, the name listed on the association's official member roster should be used.

The person signing the ballot must be eligible to cast a vote on behalf of the unit. Typically, condominium governing documents restrict voting to owners. Ballots may be rejected in cases where the ballot was signed by a non-owner spouse or tenant. Additionally, if the voter claims to be a trustee of a trust that owns a unit or to hold a power of attorney permitting the person to vote on behalf of the unit, if not already on file

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[5] If the voter is physically incapable of completing a ballot due to a disability, then it may be completed by another person at the immediate direction of voter with a notation to that effect.

[6] Where the recall results in the recall of at least a majority of the members of the board, the vacancies created by the recall are filled by the homeowners voting in favor of the recall. If the recall results in the recall of less than a majority of the members of the board, then the vacancies created by the recall may be filled by the remaining board members. Fla. Stat. § 720.303(10)(e).

with the association, a copy of the documents establishing the person's authority to vote on behalf of the unit needs to be provided to the association either prior to the service of the written recall agreement or attached to the ballot when the written agreement is served on the board. Where the association has suspended an owner's right to vote for nonpayment of regular assessments that are delinquent more than 90 days,[7] after proper notice and before the recall is served, a recall ballot signed by the owner will be invalid.

Block C also provides space for the homeowner representative to list his or her contact information. This portion of the ballot should be completed by the homeowner representative before the ballots are distributed to the members. It is important because it lets voters know to whom to return completed ballots. It also is important because should the association fail to certify the recall and file for recall arbitration with the Division, the Division will need to know how to contact the homeowner representative so that the interests of the homeowners voting in favor of the recall can be represented.

Voting Certificates

A voting certificate is a document which designates one of the record title owners (or the corporate, partnership, or entity representative) who is authorized to vote on behalf of a parcel that is owned by more than one owner. Some governing documents require voting certificates. In such a case, a recall ballot might be rejected if the owners of the parcel do not have voting certificate on file with association. Therefore, before serving the recall agreement on the association, it is important to make certain that owners have voting certificates on file where required.

Service of the Written Recall Agreement

Once a sufficient number of ballots is collected, the ballots are to be served on the association together, forming the written recall agreement. It is typical that some ballots will be defective. Therefore, as many ballots as possible should be collected. Additional ballots may not be added to the recall effort after service of the written recall agreement. The written recall agreement may be served by certified mail or by personal service on any officer of the association, the association manager, a board member, or the association's registered agent.[8]

Board Meeting

The association's board of directors must hold a duly noticed meeting within five full business days after service of the written recall agreement to determine whether to certify or not to certify the recall. If the recall of a board member is certified, that board member is removed from office. Then, if a majority of the board members are recalled (more than half of the board members) replacement candidates elected by the

[7] Fla. Stat. 720.305(3)
[8] Fla. Admin. Code R. 61B-81.003(1)(g)

homeowners voting in favor of the recall are seated in their places. If less than a majority of the board members are recalled, the remaining board members fill the vacancies created by the recall by appointing board members of their choice. [9]

Recall Arbitration

If at the board meeting, the board fails to certify the recall as to any board member named in the recall agreement, the association must file a petition for recall arbitration with the Division within five full business days.[10] The arbitration petition will be assigned to one of the Division's arbitrators.[11] Arbitration is an alternative to a court proceeding where a neutral third person, the arbitrator, considers the facts and arguments presented by the parties and renders a decision.

After reviewing the petition, the arbitrator may issue an order requiring the respondent the homeowners voting in favor of the recall (the respondent) to file an answer. The order requiring answer and copy of the petition and its attachments will be served on the homeowner representative by certified mail.

The order requiring answer directs the respondent to file an answer within a certain number of days. The answer should be filed by the homeowner representative or an attorney employed on behalf the homeowners voting in favor of the recall. If the homeowners disagree with the facts and reasons for not certifying the recall stated in the petition, the homeowner representative must file an answer to the petition using the Division answer form, DBPR for HOA 6000-9. This form may be found at: www.myfloridalicense.com/dbpr/lsc/documents/60009AnswertoPetition020305.pdf. A copy of the answer must be provided to the association at the time the answer is filed with the arbitrator. If no answer is filed, the arbitrator will presume that the facts stated in the petition are true and that the attachments to the petition are accurate.

After an answer is filed, the arbitrator will review it to determine if there are any disputed issues. If there are disputed issues, a hearing is held and each party is given an opportunity to present evidence through witnesses and exhibits. If there are no disputed issues, the arbitrator will decide the case based on the assertions in the petition for arbitration, the answer, and applicable law. The arbitrator also may issue orders requesting additional information or documentation from a party. It is important to respond to the arbitrator's orders within the time given in the order. Failure to comply with an order might result in a sanction against the noncompliant party. If a party needs additional time to respond to the order requiring answer or any other order, such request must be made in writing to the arbitrator. A copy of the request must be provided to other party at the time the request is filed with the arbitrator.

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[9] §720.303(10)(e).., Fla. Stat. & Fla. Admin. Code R. 61B-81.003((3)(a)3.
[10] §720.303(10)(d) & & Fla. Admin. Code R. 61B-81.003(3)(b)1.
[11] The Division employs full-time arbitrators who are attorneys.

The arbitrator's final decision as to whether the recall should or should not be certified is presented in the form of written order, a copy of which is provided to both parties' representatives.

Recall arbitration proceedings are conducted on an expedited basis. Therefore, the parties should be prepared to proceed at a fast pace.

What Happens if The Association Fails to Hold a Meeting or Fails to File for Recall Arbitration?

Should the association fail to timely hold a meeting to consider the recall or file a petition for recall arbitration as required by law, the recall is effective.[12] However, if board members fail to follow the law and refuse to vacate their positions, individual homeowners may have to petition for arbitration in order to give the recall effect and remove board members.[13] To do so, a homeowner must file for arbitration using the mandatory binding arbitration petition DBPR form HOA 6000-004. A copy of this form may be found at: www.myfloridalicense.com/dbpr/lsc/documents/60004Petition--RecallDispute020305.pdf. The petition must be filed within 60 days after the expiration of the applicable 5-full-business-day period.[14]

The petition must be accompanied by a $200.00 filing fee. It is important to understand that where the individual homeowner file the petition, the homeowner will be liable for half of the costs incurred by the Division for arbitrating the dispute.[15] Additionally, the party that wins the arbitration is entitled to recover its reasonable attorney's fees and costs from the opposing party.

Board Member Challenging Certification of Recall

A board member who has been recalled may file a petition challenging the validity of the recall.[16] To do so, the board member must file for arbitration using the mandatory binding arbitration petition DBPR form ARB 6000-004. A copy of this form may be found at:www.myfloridalicense.com/dbpr/lsc/documents/60004Petition--RecallDispute020305.pdf. The petition must be filed within 60 days after the recall is deemed effective and must be accompanied by a $200.00 filing fee. It is also important to understand that where an individual board member files the petition, the party that wins the arbitration is entitled to recover its reasonable attorney's fees and costs from the opposing party.

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[12] §720.303(10)(f),Fla. Stat. . & Fla. Admin. Code R. 61B-80.102(6)
[13] Fla. Admin. Code R. 61B-80.102(1)
[14] Section 720.303(10)(g)., Fla. Stat.
[15] Fla. Admin. Code R. 61B-80.124
[16] Section 720.303(10)(k)., Fla. Stat.

RESPONDENT'S EXHIBIT 8

Case No. **2026-05-5113**

Larry Bassett, Respondent

Date: **September 7, 2026**

Title: April 21, 2026 Board Meeting Minutes (No Appointment of Tobey)

JEDI MANAGEMENT

511 RONALD REAGAN PKWY #6 | LOUGHMAN, FL 33858 | O: 689.204.2057

THE FOREST AT RIDGEWOOD HOMEOWNERS' ASSOCIATION, INC. –

Recall Meeting -ZOOM Only

Tuesday, April 21 · 4:00pm

ZOOM Link

https://us02web.zoom.us/j/81750987309?pwd=zhTyGMattJsGliaXKObXZaxOy5Gt9b.1

Meeting Notice. No appointment on the agenda

Meeting ID: 817 5098 7309
Passcode: 777267

One tap mobile
+13052241968,,81750987309#,,,,*777267# US
+13092053325,,81750987309#,,,,*777267# US
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1. Call Meeting to Order
2. Certify A Quorum of The Board of Directors
3. Certify Meeting Was Noticed in Accordance with Florida Statutes
4. Certify or Reject Recall
5. Adjournment

QR CODE for ZOOM Call

www.jedimanagement.com/the-forest-at-ridgewood/

FOREST AT RIDGEWOOD HOMEOWNERS ASSOCIATION, INC.,

BOARD OF DIRECTORS MEETING MINUTES OF April 21, 2026, at 4:00 PM

RECALL CERTIFICATION/NON-CERTIFICATION MEETING

Minutes from the 4/21/26 Meeting.
No appointment was made at this meeting.
The transcription/video will prove this to be true.

I. **CALL TO ORDER at 4:00pm**

II. **POSTING OF MEETING VERIFIED**

III. **QUORUM VERIFIED**

IV. **RECALL MEETING**

Board Member Kevin Mack Received 88 ballots on Thursday April 16th as they were delivered to his house but he was out of the Country until the 16th

Rejected Recall Ballots and Reasons for Rejection

1132 Golf Course Parkway rejected because he emailed me and asked to recant it
1234 Golf Course Parkway has two ballots with different handwriting 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 deeded owner is a trust with inability to verify Trustee and/or signors ability to sign for Trust

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

14 total rejects with 15 total rejects for Ed Burdon

Kevin Mack moved to not accept the recall for the reasons set forth above. Second by Rob Tobey. Motion passed unanimously.

Rob Tobey moved not to certify the recall of Ed Burdon because he resigned March 5th, so he was not on the Board when the ballots were delivered. Kevin Mack seconded. Motion passed unanimously.

Meeting adjourned at 4:10

2026 FLORIDA NOT FOR PROFIT CORPORATION ANNUAL REPORT

FILED
Apr 10, 2026
Secretary of State
2934777136CC

DOCUMENT# N94000000522

Entity Name: THE FOREST AT RIDGEWOOD HOMEOWNERS' ASSOCIATION, INC.

Current Principal Place of Business:

1801 N. HIGHLAND AVE
TAMPA, FL 33602

Current Mailing Address:

10500 UNIVERSITY CENTER DR.
SUITE 190
TAMPA, FL 33612 US

Filed with the State of Florida one month after Tobey was supposedly "appointed" as a director. He is NOT a director!

FEI Number: 59-3247166

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

BUSH ROSS REGISTERED AGENT SERVICES, LLC
1801 N. HIGHLAND AVE
TAMPA, FL 33602 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: H WEB MELTON III 04/10/2026

Electronic Signature of Registered Agent — Date

Officer/Director Detail :

Title	DIRECTOR, PRESIDENT
Name	WALKER, DAVID
Address	10500 UNIVERSITY CENTER DR. SUITE 190
City-State-Zip:	TAMPA FL 33612

Title	DIRECTOR, VP, TREASURER
Name	MACK, KEVIN
Address	10500 UNIVERSITY CENTER DR. SUITE 190
City-State-Zip:	TAMPA FL 33612

Title	DIRECTOR, SECRETARY
Name	NAJOUR, TIMOTHY
Address	10500 UNIVERSITY CENTER DR. SUITE 190
City-State-Zip:	TAMPA FL 33612

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 617, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: WALKER , DAVID PRESIDENT 04/10/2026

Electronic Signature of Signing Officer/Director Detail — Date

RESPONDENT'S EXHIBIT - 23

theforesthoa.org

Screenshot Taken 5/3/2026

Surveillance Clips -... | OnLine Meeting Pr... | $$$$ | Facebook | CAM Course | CAM course Audio | Amazon | Amazon Vine | The Forest at Ridge...

Welcome to our Website!

This Website and our LCAM, Jedi Management Website are the only Websites that will have accurate updated content for the home owners in The Forest at Ridgewood HOA.

Community Updates

Polk County Phase III Water Shortage!

On March 24th, 2026 - all Polk County Utilities customers will be required to follow a new once-per-week watering schedule.
Watering hours under the new schedule have been modified as follows: 12:01 a.m. to 4 a.m. or 8 p.m. to 11:59 p.m. **Properties less than one acre in size may only water during one of these windows.**
The new schedule for watering and even car washing, etc... can be found on the Polk County website at this link. - https://www.polkfl.gov/services/utilities/water-restrictions/
Be aware that the new schedule is no longer based on the old odd even house number rules.
It's based on the last number in your house number.
Ends in 0 or 1 - Monday
Ends in 2 or 3 - Tuesday
Ends in 4 or 5 - Wednesday
Ends in 6 or 7 - Thursday
Ends in 8 or 9, along with common areas or a location for which an address cannot be determined Friday
Polk County vehicles have been noted surveilling the neighborhood and the fine can be substantial.

A Director cannot be "assigned" in a driveway by another director.

Annual Membership Meeting Canceled

The Annual Membership meeting schedualed for March 27, 2026 has been canceled.
Notice of new date, time and place will be mailed out by Jedi.
It will also be posted here once confirmed with all required attendents.

New Secretary/Director

Edward Burdon resigned as Secretary/Director on March 5, 2026.
March 9,2026 Vice President/Director Kevin Mack assigned Rob Tobey to replace Edward in that position and Rob will function as [illegible] Ridgewood HOA. Following Florida State Statute 720.306(9)(c).
Rob will be confirmed during the next official Community Board Meeting.

From 5/3... the 4/21 meeting already took place and the next meeting was held on 7/24.

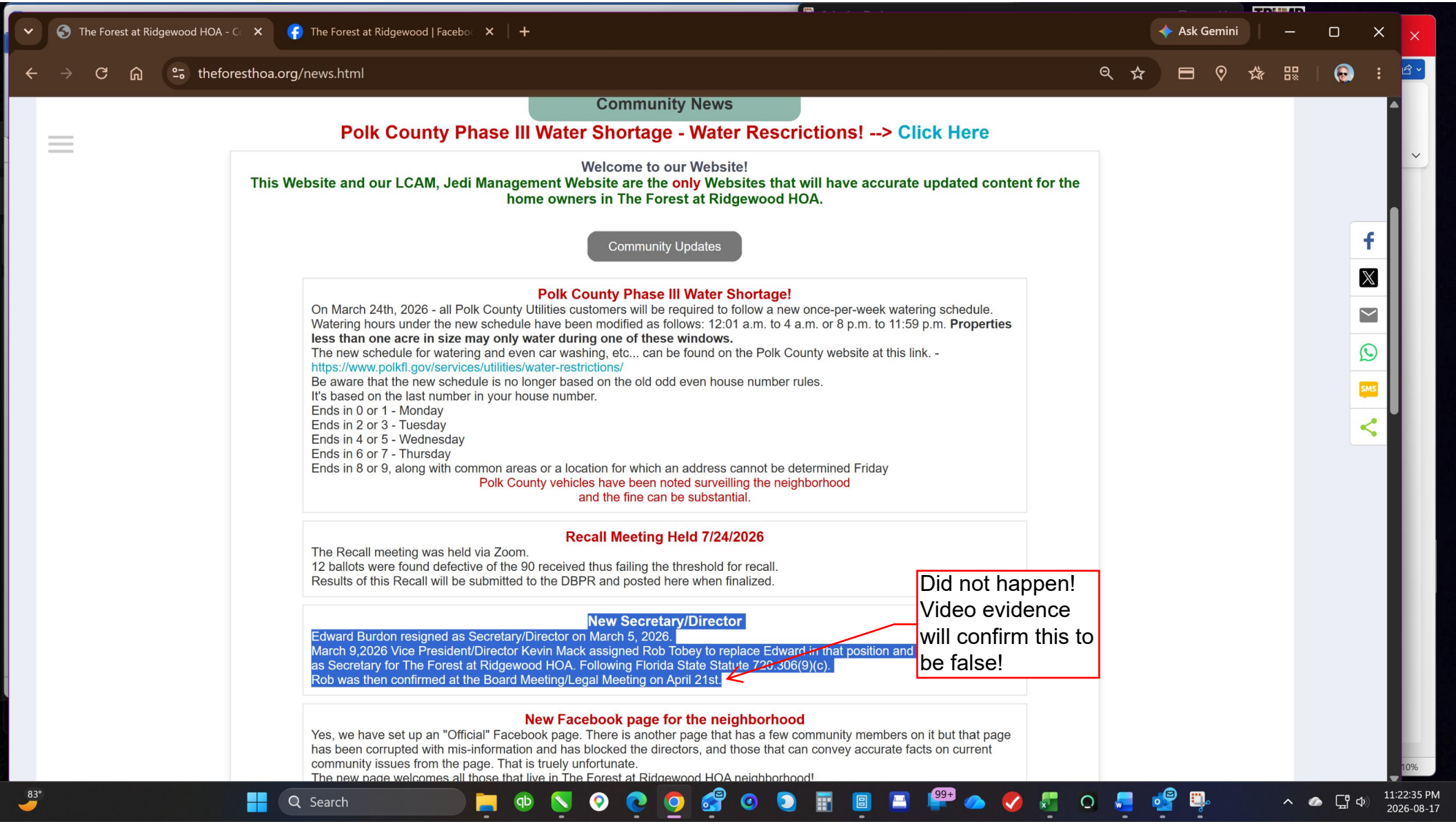
New Facebook page for the neighborhood

Yes, we have set up an "Official" Facebook page. There is another page that has a few community members on it but that page has been corrupted with mis-information and has blocked the directors, and those that can convey accurate facts on current community issues from the page. That is truely unfortunate.
The new page welcomes all those that live in The Forest at Ridgewood HOA neighborhood!
https://www.facebook.com/groups/theforestatridgewood

For more Community News click the button below.

Community News

Screenshot Taken 8/17/2026



Screenshot Taken 9/3/2026

Documents - The Forest at Ridgew | The Forest at Ridgewood HOA - C | Ask about this page?

theforesthoa.org/news.html

Finish update

Community News

Polk County Phase III Water Shortage - Water Rescrictions! --> Click Here

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It's based on the last number in your house number.
nday
sday
dnesday
rsday
g with common areas or a location for which an address cannot be determined Friday
Polk County vehicles have been noted surveilling the neighborhood
and the fine can be substantial.

Did not happen! transcription/video of the meeting will prove this to be a lie.

Recall Meeting Held 7/24/2026

The Recall meeting was held via Zoom.
12 ballots were found defective of the 90 received thus failing the threshold for recall.
Results of this Recall will be submitted to the DBPR and posted here when finalized.

New Secretary/Director

Edward Burdon resigned as Secretary/Director on March 5, 2026.
March 9,2026 Vice President/Director Kevin Mack assigned Rob Tobey to replace Edward in that position and Rob will function as Secretary for The Forest at Ridgewood HOA. Following Florida State Statute 720.306(9)(c).
Rob was then confirmed at the Board Meeting/Legal Meeting on April 21st.

Total violation of process!

New Facebook page for the neighborhood

Yes, we have set up an "Official" Facebook page. There is another page that has a few community members on it but that page has been corrupted with mis-information and has blocked the directors, and those that can convey accurate facts on current community issues from the page. That is truely unfortunate.
The new page welcomes all those that live in The Forest at Ridgewood HOA neighborhood!
https://www.facebook.com/groups/theforestatridgewood

Playground Update!

September 2025

The Amarillo playground set is now installed and open for your enjoyment!,

88°F Light rain | Search | 2:10:56 PM 2026-09-03

RESPONDENT'S EXHIBIT 9

Case No. **2026-05-5113**

Larry Bassett, Respondent

Date: **September 7, 2026**

Title: April 21, 2026 Meeting Transcription

Audio file

recall meeting audio only.m4a

Transcript

00:00:46 Jennifer Englert

Hey everybody, it's a minute before 4.

00:00:48 Jennifer Englert

I'm still letting a few people in.

00:00:53 Jennifer Englert

Are the board members in?

00:00:55 Jennifer Englert

I'm not sure I saw Kevin.

00:01:30 Jennifer Englert

David, I asked you to unmute.

00:01:35 Jennifer Englert

You ready to call it to order in a minute?

00:01:37 Jennifer Englert

I see.

00:01:37 Jennifer Englert

I don't.

00:01:38 Jennifer Englert

Do you see if Kevin's there?

00:01:41 David Walker

I think he's joining.

00:01:42 Jennifer Englert

Okay, perfect.

00:01:56 Rob Tobey

Everybody's muted.

00:02:00 Jennifer Englert

I see him.

00:02:02 Jennifer Englert

All right, and everybody else please mute except for my board members.

00:02:05 Rob Tobey

So mute for now.

00:02:14 Jennifer Englert

All right, sweet.

00:02:15 Jennifer Englert

It's 4:00.

00:02:17 Jennifer Englert

Kevin, you want to or David, you want to call us to order?

00:02:22 David Walker

We're calling the meeting to order.

00:02:26 Jennifer Englert

Okay, and I saw I was provided proof that the meeting was posted and all the different places that you post it.

00:02:34 Jennifer Englert

Normally there's pictures.

00:02:37 Jennifer Englert

As far as quorum, can I verify that the board members are present?

00:02:44 Jennifer Englert

David, I know you are.

00:02:46 Jennifer Englert

Kevin?

00:02:54 Jennifer Englert

You unmute for me, please, sir.

00:02:57 Kevin Mack

Kevin is present.

00:02:57 Kevin Mack

Thank you.

00:02:58 Jennifer Englert

Wait.

00:02:59 Jennifer Englert

All right.

00:02:59 Jennifer Englert

There's going to be a few votes so you guys can stay unmuted.

00:03:03 Jennifer Englert

David, it's my understanding and we're going to be talking about it in the meeting, but that board member Ed Burden resigned.

00:03:13 Jennifer Englert

So there is a new board member that was appointed in his place.

00:03:18 David Walker

Yeah, Ed Burden resigned on March 5th.

00:03:21 David Walker

Rob Toby has been

00:03:25 David Walker

in his place in his place.

00:03:27 David Walker

Rob's been in the community since 2017.

00:03:31 David Walker

He's been our volunteer as our community communication manager and helped create our new website.

00:03:42 Jennifer Englert

Okay, and I see Rob on here as well.

00:03:44 Jennifer Englert

So this will be the recall meeting has been officially called to order.

00:03:49 Jennifer Englert

88 ballots were received by board member Kevin Mack.

00:03:54 Jennifer Englert

They were not received by him until April 16th because he was out of the country.

00:03:58 Jennifer Englert

So that is the day that he returned from being out of the country.

00:04:03 Jennifer Englert

And that is the day that the five days started counting.

00:04:06 Jennifer Englert

So we are within the five day, five business days to have the recall meeting.

00:04:11 Jennifer Englert

We have gone through

00:04:12 Jennifer Englert

all the different recall ballots.

00:04:14 Jennifer Englert

I'm going to list out the ones that are rejected and the reasons why as required by statute.

00:04:19 Jennifer Englert

First is 1132 Golf Course Parkway.

00:04:22 Jennifer Englert

I was that resident contacted me directly and asked to recant the ballot.

00:04:29 Jennifer Englert

There's one for Golf Course Parkway.

00:04:32 Jennifer Englert

It is 1234.

00:04:35 Jennifer Englert

There were two ballots for this property, the same property.

00:04:40 Jennifer Englert

I think both the husband and the wife might have signed, but either way we rejected one and kept the other, but you don't get 2 ballots for the same property.

00:04:48 Jennifer Englert

Next was 633 Golf Course Parkway because the date, it's dated 2006, which obviously needs to be thrown out.

00:04:58 Jennifer Englert

Next is 237 Boxwood Drive.

00:05:02 Jennifer Englert

That also was rejected because of a date issue.

00:05:05 Jennifer Englert

It looks like it's 20.

00:05:07 Jennifer Englert

You can't read it the year.

00:05:11 Jennifer Englert

There is 1 thrown out only and it's 113 Golf Course Parkway.

00:05:17 Jennifer Englert

That vote for Ed Burden is thrown out because of the way that the box is checked.

00:05:24 Jennifer Englert

We're going to talk about Ed anyway, though, because he's resigned, how that impacts his recall.

00:05:30 Jennifer Englert

There are three ballots that are rejected because of their LLC issues and there are no certificates of authority with them.

00:05:40 Jennifer Englert

First is 1020 Golf Course Parkway.

00:05:43 Jennifer Englert

The person who signed is not on the property appraiser and he's not on the deed either.

00:05:51 Jennifer Englert

1316 Golf Course Parkway.

00:05:53 Jennifer Englert

Again, you can't read the name of the person who signed, but also there's no name on the property appraiser.

00:06:02 Jennifer Englert

And so you can't tell who if they have the authority to sign on behalf of the company.

00:06:07 Jennifer Englert

And then finally 1429 Golf Course Parkway.

00:06:12 Jennifer Englert

You can't read the name of the person who signed, but also even if you could, there's not a person on the deed that you could relate it back to or on what was provided by the property appraiser.

00:06:24 Jennifer Englert

The final category of deeds or votes that were rejected were trusts.

00:06:30 Jennifer Englert

There are no trust certificates either.

00:06:33 Jennifer Englert

Sorry, let something in.

00:06:35 Jennifer Englert

with any of these, but again, pulling the deeds and looking.

00:06:38 Jennifer Englert

The first one is 1010 Golf Course Parkway.

00:06:41 Jennifer Englert

The person didn't sign as trustee and it's clearly a trust.

00:06:46 Jennifer Englert

You also can't tell if they were, they're not on the deed as an individual.

00:06:52 Jennifer Englert

Next is 105 Boxwood Drive.

00:06:56 Jennifer Englert

There is no certificate.

00:06:58 Jennifer Englert

Again, the person who signed doesn't match the property appraiser and you can't tell from the deed if that's the right person or not.

00:07:08 Jennifer Englert

Next is 918 Golf Course Parkway.

00:07:11 Jennifer Englert

Again, the person signed did not sign as the trustee.

00:07:15 Jennifer Englert

So it's unclear if they have the authority to sign.

00:07:18 Jennifer Englert

Next is 132 Golf Course Parkway again because there's no certificate of trust.

00:07:25 Jennifer Englert

There's a couple people on the property appraiser.

00:07:27 Jennifer Englert

It's unclear if they have the authority to sign and we did want to treat them all equally and the same.

00:07:34 Jennifer Englert

The next two are 106 Southern Pine Way and 336 Golf Course Parkway.

00:07:40 Jennifer Englert

These are also in trust.

00:07:42 Jennifer Englert

These are specifically also to note one, they signed as trustee, one they did not sign as trustee.

00:07:49 Jennifer Englert

They both should have been treated the same.

00:07:51 Jennifer Englert

I don't know why they would have signed differently, but since there's no certificate, we had to again treat them the same and knock that out.

00:07:58 Jennifer Englert

And then the last one is 214 Golf Course Parkway.

00:08:01 Jennifer Englert

This was also owned by a trust according to the deed and there's no, they didn't sign as the trustee and there's no proof of anything to show whether it's a trust or a trustee or not.

00:08:14 Jennifer Englert

The property appraiser does not say trust, but the deed does.

00:08:17 Jennifer Englert

So all the other ballots are accepted, but those are the ones that are rejected.

00:08:24 Jennifer Englert

All votes for Ed Burton should be rejected because he had resigned.

00:08:30 Jennifer Englert

So his recall cannot be valid according to the law.

00:08:35 Jennifer Englert

And then 14 total

00:08:38 Jennifer Englert

ballots were rejected with 15, including that extra one for Ed that wasn't checked appropriately.

00:08:44 Jennifer Englert

So I'm looking for a motion from the board.

00:08:47 Jennifer Englert

One, whether to accept the recall of Ed Burden, we need to do it separately.

00:08:52 Jennifer Englert

And then two, whether to accept or reject the recall as a whole.

00:09:00 Jennifer Englert

So I just, a board member one is I need some board member to either make a motion to accept or reject Ed's recall.

00:09:12 Rob Tobey

I'll make a motion to reject the Ed's recall.

00:09:19 Jennifer Englert

Okay, and is there a second?

00:09:24 Kevin Mack

I'll second.

00:09:27 Jennifer Englert

Okay, is there any discussion?

00:09:33 Jennifer Englert

Okay, if not, then I'd ask all in favor.

00:09:38 Rob Tobey

Aye.

00:09:39 Kevin Mack

Aye.

00:09:39 Dave Walker

Aye.

00:09:41 Jennifer Englert

Okay.

00:09:41 Jennifer Englert

And then finally, I just need a motion to accept or reject the recall.

00:09:47 Jennifer Englert

Since there's only two and we already did, we don't usually have to do them one by one.

00:09:52 Jennifer Englert

But basically, are we accepting or rejecting the recall as a whole?

00:09:57 Kevin Mack

Reject.

00:10:00 Jennifer Englert

Okay, so that's Kevin as a first.

00:10:02 Jennifer Englert

Do I have a second?

00:10:06 Rob Tobey

I'll second that.

00:10:08 Jennifer Englert

Okay.

00:10:09 Jennifer Englert

All those in favor.

00:10:11 Rob Tobey

All right.

00:10:14 Jennifer Englert

Motion passes.

00:10:16 Jennifer Englert

Thanks.

00:10:16 Jennifer Englert

That's the end of the meeting.

00:10:18 Kevin Mack

Thank you.

00:10:19 Kevin Mack

Have a good day.

00:10:20 Rob Tobey

Thank you.

00:10:20 Jennifer Englert

Guys too.

00:10:21 Unknown Resident

Bunch of Asses.

RESPONDENT'S EXHIBIT 10

Case No. **2026-05-5113**

Larry Bassett, Respondent

Date: **September 7, 2026**

Title: April 21, 2026 Meeting Video Recording

Video has been uploaded to a thumbdive and will arrive FedEx