

RESPONDENT'S EXHIBIT 15

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

Larry Bassett, Respondent

Date: **September 7, 2026**

Title: Duplicate Ballot Pair #1

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	<u>KEVIN MACK</u>	☒	☐
Name of board director	<u>EDWARD BURDON</u>	☒	☐
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	<u>SHARON MCDANIEL</u>	☒
Name of replacement board director	<u>DAVID MACMORRAN</u>	☒
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

Crisbel Munoa
Homeowner (Print name)

745 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.

[Signature]
Homeowner(s) Signature

03/25/2026
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

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.

REJECTION #7 - This ballot is a duplicate of the ballot #46. It may have happened when the Process Server printed them to deliver, I am not sure but this one needs to be deleted

PLEASE CAST YOUR VOTE BY MARKING "RECALL" OR "RETAIN" BOX NEXT TO EACH BOARD DIRECTOR.

Name of board director _____

Name of board director _____

Name of board director _____

Name of board director _____

Name of board director _____

Name of board director _____

Name of board director _____

RECALL	RETAIN
☒	☐
☒	☐
☐	☐
☐	☐
☐	☐
☐	☐
☐	☐
☐	☐

Ballot #46 is valid and should definitely be counted.

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.**

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 _____

In Favor of

☒
☒
☐
☐
☐
☐
☐
☐

BLOCK C

Crisbel Munoa

Homeowner (Print name)

745 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.

[Signature]

Homeowner(s) Signature

03/25/2026

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

RESPONDENT'S EXHIBIT 16

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

Larry Bassett, Respondent

Date: **September 7, 2026**

Title: Duplicate Ballot Pair #2

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	<u>KEVIN MACK</u>	☒	☐
Name of board director	<u>EDWARD BURDON</u>	☒	☐
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	<u>SHARON MCDANIEL</u>	☒
Name of replacement board director	<u>DAVID MACMORRAN</u>	☒
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

Mary E Dugan
Homeowner (Print name)

147 Southern Pine Way Davenport,
Parcel Address
33.26-38-32446-001380 71 33837-5507

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.

Mary E Dugan
Homeowner(s) Signature

March 31st 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

82. Kenneth Dugan, 147 Southern Pine Way

REJECTION #12 - DUPLICATE OF #81 ABOVE

FORM FOR HOMEOWNERS WRITTEN RECALL AGREEMENT / BALLOT

BLOCK A

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		RECALL	RETAIN
Name of board director	<u>KEVIN MACK</u>	☒	☐
Name of board director	<u>EDWARD BURDON</u>	☒	☐
Name of board director		☐	☐
Name of board director		☐	☐
Name of board director		☐	☐
Name of board director		☐	☐
Name of board director		☐	☐

This ballot is a duplicate of ballot #81 (His Wife's ballot) and should NOT be counted.

Ballot #81 is valid and should be counted.

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	<u>SHARON MCDANIEL</u>	☒
Name of replacement board director	<u>DAVID MACMORRAN</u>	☒
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

KENNETH DUGAN
Homeowner (Print name)

147 SOUTHERN PINE WAY
Parcel Address
27-26-28-706440-001380

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.

[Signature]
Homeowner(s) Signature

4/2/26
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

RESPONDENT'S EXHIBIT 17

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

Larry Bassett, Respondent Date:

September 7, 2026

Title: Rebuttal of Improperly Rejected Ballots

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

EXHIBIT 17 – INTRODUCTION AND PROCEDURAL DEFECT SUMMARY

(Cross-Referenced with Exhibit 12 – July 24 Meeting Transcript and

Exhibit 11 – Meeting Minutes)

This Exhibit addresses the ballots improperly rejected by the Board of Directors during the July 24, 2026 recall meeting. Under **§720.303(10), Fla. Stat.** and Rule **61B-81.003, F.A.C.**, the Board is required to **individually review each recall ballot**, verify ownership, confirm signatures, and determine validity based solely on statutory criteria.

Exhibit 12, the official transcript of the July 24 meeting, demonstrates that the Board did **not** perform this required review.

During the meeting, the Board openly acknowledged that they had **not reviewed** the ballots prior to the meeting:

“I didn’t review the packet that went to Bush Ross...” – *Director Tobey* “Has the board reviewed the ballots?” “The original packet, yes.” – *Director Mack* “I can’t recall the total amount.” – *Director Tobey*

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

The association’s attorney then displayed approximately **90 ballots** and scrolled through them from **00:22:12** to **00:28:15** — a total of **six minutes** — after which he asked:

“You’ve had an opportunity to review all the ballots... is that correct?” “Correct.” –

Director Mack “Correct.” – *Director Tobey*

As documented in **Exhibit 12 & Exhibit 13**, a six-minute rapid scroll through 90 ballots is **not a review** under DBPR standards. DBPR precedent requires boards to **examine each ballot individually**, verify parcel information, and apply statutory criteria. The transcript shows the Board:

Did **not** verify parcel addresses

Did **not** check signatures

Did **not** confirm ownership

Did **not** identify or discuss individual ballots

Did **not** apply statutory criteria

Relied entirely on a rapid non-evaluative scroll

Failure to Comply with §720.303(10)(b)1(i) – Defective Minutes (Exhibit 11)

Florida Statute **§720.303(10)(b)1(i)** requires recall-certification minutes to include:

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

1. The date and time of the meeting
2. The decision of the board
3. The vote count taken on each director subject to recall
4. For each rejected ballot: the parcel number and the specific reason for rejection

The July 24 minutes (Exhibit 11) fail to meet these statutory requirements:

No vote count for either director

No parcel numbers listed for any rejected ballot

Several rejection reasons are **legally insufficient** or factually incorrect

No proper certification vote was recorded

Minutes falsely state the Board “reviewed each ballot,” contradicted
by Exhibit 11

Because the minutes do not comply with §720.303(10)(b)1(i), the Board’s certification decision is **procedurally defective** and cannot stand.

Purpose of Exhibit 17

Because the Board did not conduct the required statutory review and did not produce legally compliant minutes, each rejection must be evaluated independently. Exhibit 17

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

provides the **actual, legally required analysis** for each ballot the Board improperly rejected, with direct reference to the procedural defects documented in **Exhibit 11** and **Exhibit 14**.

EXHIBIT 17 – INTRODUCTION AND PROCEDURAL DEFECT SUMMARY

(Cross-Referenced with Exhibit 12 – July 24 Meeting Transcript)

This Exhibit addresses the ballots improperly rejected by the Board of Directors during the July 24, 2026 recall meeting. Under **§720.303(10), Fla. Stat.** and Rule **61B-81.003, F.A.C.**, the Board is required to **individually review each recall ballot**, verify ownership, confirm signatures, and determine validity based solely on statutory criteria.

Exhibit 12, the official transcript of the July 24 meeting, demonstrates that the Board did **not** perform this required review.

During the meeting, the Board openly acknowledged that they had **not reviewed** the ballots prior to the meeting:

“I didn’t review the packet that went to Bush Ross...” – *Director Tobey* “Has the board reviewed the ballots?” “The original packet, yes.” – *Director Mack* “I can’t recall the total amount.” – *Director Tobey*

The association’s attorney then displayed approximately **90 ballots** and scrolled through them from **00:22:12** to **00:28:15** — a total of **six minutes** — after which he asked:

“You’ve had an opportunity to review all the ballots... is that correct?” “Correct.” –

Director Mack “Correct.” – Director Tobey

As documented in **Exhibit 9**, a six-minute rapid scroll through 90 ballots is **not a review** under DBPR standards. DBPR precedent requires boards to **examine each ballot individually**, verify parcel information, and apply statutory criteria. The transcript shows the Board:

Did **not** verify parcel addresses

Did **not** check signatures

Did **not** confirm ownership

Did **not** identify or discuss individual ballots

Did **not** apply statutory criteria

Relied entirely on a rapid, non-evaluative scroll

This failure explains improper rejections such as “cannot determine address,” where the Board made **no attempt** to validate the parcel despite having full access to the association roster, property appraiser records, and a 164-home address list.

Because the Board did not conduct the required statutory review, each rejection must be evaluated independently. Exhibit 17 provides the **actual, legally required analysis** for each ballot the Board improperly rejected, with direct reference to the procedural defects documented in **Exhibit 12**.

EXHIBIT 17 – INTRODUCTION AND PROCEDURAL DEFECT SUMMARY

(Cross-Referenced with Exhibit 12 – July 24 Meeting Transcript)

This Exhibit addresses the ballots improperly rejected by the Board of Directors during the July 24, 2026 recall meeting. Under **§720.303(10), Fla. Stat.** and Rule **61B-81.003, F.A.C.**, the Board is required to **individually review each recall ballot**, verify ownership, confirm signatures, and determine validity based solely on statutory criteria.

Exhibit 12, the official transcript of the July 24 meeting, demonstrates that the Board did **not** perform this required review.

During the meeting, the Board openly acknowledged that they had **not reviewed** the ballots prior to the meeting:

“I didn’t review the packet that went to Bush Ross...” – *Director Tobey* “Has the board reviewed the ballots?” “The original packet, yes.” – *Director Mack* “I can’t recall the total amount.” – *Director Tobey*

The association’s attorney then displayed approximately **90 ballots** and scrolled through them from **00:22:12** to **00:28:15** — a total of **six minutes** — after which he asked:

“You’ve had an opportunity to review all the ballots... is that correct?” “Correct.” –

Director Mack “Correct.” – Director Tobey

As documented in **Exhibit 12**, a six-minute rapid scroll through 90 ballots is **not a review** under DBPR standards. DBPR precedent requires boards to **examine each ballot individually**, verify parcel information, and apply statutory criteria. The transcript shows the Board:

Did **not** verify parcel addresses

Did **not** check signatures

Did **not** confirm ownership

Did **not** identify or discuss individual ballots

Did **not** apply statutory criteria

Relied entirely on a rapid, non-evaluative scroll

This failure explains improper rejections such as “cannot determine address,” where the Board made **no attempt** to validate the parcel despite having full access to the association roster, property appraiser records, and a 164-home address list.

Because the Board did not conduct the required statutory review, each rejection must be evaluated independently. Exhibit 16 provides the **actual, legally required analysis** for each ballot the Board improperly rejected, with direct reference to the procedural defects documented in **Exhibit 12**.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Rebuttal – 217 Boxwood Dr

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

HOA Rejection Reason: “Cannot tell address number”

Rebuttal Summary

The ballot clearly displays the address **217 Boxwood Dr**, and the parcel number is publicly verifiable through the Polk County Property Appraiser. The Board’s stated reason — “cannot tell address number” — is factually incorrect and demonstrates that the Board did not conduct the required statutory review.

1. Address is clearly legible

The ballot shows the handwritten address “217 Boxwood Dr.” There is no ambiguity, smudging, or illegibility.

2. Parcel number is easily verifiable

Parcel ownership and parcel number can be confirmed in seconds using the property appraiser database. The Board made **no attempt** to verify the parcel.

3. Exhibit 12 proves the Board did not review ballots

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

The transcript shows the Board scrolled through 90 ballots in **six minutes**, without stopping to examine addresses, signatures, or parcel information.

4. Exhibit 10 minutes falsely claim “reviewed each ballot”

The minutes do not comply with §720.303(10)(b)1(i) and do not list parcel numbers, confirming the Board did not perform the required statutory review.

5. DBPR precedent

DBPR consistently rules that ballots cannot be rejected for reasons that could have been resolved through minimal verification (parcel lookup, roster check, etc.).

Conclusion

The rejection of this ballot is improper. **This ballot must be counted.**

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Rebuttal – 237 Boxwood Dr

Parcel Number: 27-26-28-706440-000230

HOA Rejection Reason: “Cannot identify year signed”

Rebuttal Summary

The ballot for **237 Boxwood Dr** contains a clearly written date, including the year. The Board’s stated reason — “cannot identify year signed” — is factually incorrect and demonstrates a failure to conduct the required statutory review.

1. The year is clearly visible on the ballot

The signature date includes a legible year. There is no smudging, overwriting, or ambiguity.

2. DBPR does not allow rejection based on avoidable clerical uncertaintyIf the

Board had any question about the date, they were required to:

Review the ballot individually

Compare handwriting

Verify the submission date

Confirm the ballot was received within the statutory window

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

They did none of these things.

3. Exhibit 12 proves the Board did not review ballots

The transcript shows the Board scrolled through 90 ballots in **six minutes**, without stopping to examine dates, signatures, or parcel information.

This explains why they “could not identify” information that is plainly visible.

4. Exhibit 11 minutes falsely claim “reviewed each ballot”

The minutes do not comply with §720.303(10)(b)1(i) and do not list parcel numbers, confirming the Board did not perform the required statutory review.

5. DBPR precedent

DBPR consistently rules that ballots cannot be rejected for reasons that could have been resolved through minimal verification or simple visual inspection.

Conclusion

The rejection of this ballot is improper. **This ballot must be counted.**

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Rebuttal – 319 Boxwood Dr

Parcel Number: 27-26-28-706440-000310

HOA Rejection Reason: “Cannot identify address number”

Rebuttal Summary

The ballot for **319 Boxwood Dr** contains a clearly written and fully identifiable address. The Board’s stated reason — “cannot identify address number” — is factually incorrect and demonstrates that the Board did not conduct the required statutory review under §720.303(10), Fla. Stat.

1. The address is clearly legible

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

The ballot shows the handwritten address “319 Boxwood Dr.” There is no ambiguity, distortion, or illegibility. The parcel number is easily confirmed through the Polk County Property Appraiser.

2. The Board failed to perform the required verification If the Board had any uncertainty, they were required to:

- Review the ballot individually
- Compare the address to the association roster
- Verify parcel ownership
- Confirm the parcel number through public records

They did none of these steps.

3. Exhibit 12 proves the Board did not review ballots

The transcript shows the Board scrolled through approximately 90 ballots in **six minutes**, without stopping to examine addresses, signatures, or parcel information.

This explains why they “could not identify” information that is plainly visible.

4. Exhibit 10 minutes do not comply with §720.303(10)(b)1(i) The minutes:

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Do not list parcel numbers

Do not record vote counts

Falsely state the Board “reviewed each ballot”

Do not document a proper certification vote

This confirms the Board did not perform the required statutory review.

5. DBPR precedent

DBPR consistently rules that ballots cannot be rejected for reasons that could have been resolved through minimal verification, such as checking the property appraiser or association roster.

Conclusion

The rejection of this ballot is improper. **This ballot must be counted.**

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Rebuttal – 113 Golf Course Pkwy

Parcel Number: 27-26-28-706460-000130

HOA Rejection Reason: “Defective check mark”

Rebuttal Summary

The ballot for **113 Golf Course Pkwy** was rejected for a “defective check mark,” a reason that is **not recognized under §720.303(10), Fla. Stat.** or any DBPR recall precedent. The ballot clearly indicates the intent of the owner, and DBPR consistently rules that **minor marking variations do not invalidate a recall ballot.**

1. The owner’s intent is clear and unmistakable

The recall statute requires that the ballot reflect the owner’s intent. The check mark on this ballot is:

Present

Legible

Positioned correctly in the recall selection box

There is no ambiguity about the vote.

2. DBPR precedent: marking style does not invalidate ballots

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

DBPR has repeatedly held that:

A check mark

An X

A filled box

A circled box

A slightly misaligned mark

All count, as long as the owner’s intent is clear.

Rejecting a ballot for a “defective check mark” is contrary to DBPR rulings.

3. Exhibit 12 proves the Board did not review ballots

The transcript shows the Board scrolled through 90 ballots in **six minutes**, without stopping to examine markings or intent.

This explains why they rejected a clearly marked ballot.

4. Exhibit 11 minutes do not comply with §720.303(10)(b)1(i) The minutes:

Do not list parcel

numbers

Do not record vote

counts

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Falsely state the Board

“reviewed each ballot”

Do not document a

proper certification vote

This confirms the Board did not perform the required statutory review.

5. DBPR requires boards to resolve minor marking issues

If the Board had any question about the mark, they were required to:

Examine the ballot

individually

Confirm the owner’s

intent

Apply DBPR precedent

They did none of these

steps.

Conclusion

The rejection of this ballot is improper. **This ballot must be counted.**

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Rebuttal – 337 Golf Course Pkwy

Parcel Number: 27-26-28-706460-000340

HOA Rejection Reason: “Cannot identify address number”

Rebuttal Summary

The ballot for **337 Golf Course Pkwy** contains a clearly written and fully identifiable address. The Board’s stated reason — “cannot identify address number” — is factually incorrect and demonstrates that the Board did not conduct the required statutory review under §720.303(10), Fla. Stat.

1. The address is clearly legible

The ballot shows the handwritten address “337 Golf Course Pkwy.” There is no ambiguity, distortion, or illegibility. The parcel number is easily confirmed through the Polk County Property Appraiser.

2. The Board failed to perform the required verification If the Board had any

uncertainty, they were required to:

Review the ballot individually

Compare the address to the association roster

Verify parcel ownership

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Confirm the parcel number through public records

They did none of these steps.

3. Exhibit 12 proves the Board did not review ballots

The transcript shows the Board scrolled through approximately 90 ballots in **six minutes**, without stopping to examine addresses, signatures, or parcel information.

This explains why they “could not identify” information that is plainly visible.

4. Exhibit 10 minutes do not comply with §720.303(10)(b)1(i) The minutes:

Do not list parcel numbers

Do not record vote counts

Falsely state the Board “reviewed each ballot”

Do not document a proper certification vote

This confirms the Board did not perform the required statutory review.

5. DBPR precedent

DBPR consistently rules that ballots cannot be rejected for reasons that could have been resolved through minimal verification, such as checking the property appraiser or association roster.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Conclusion

The rejection of this ballot is improper. **This ballot must be counted.**

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Rebuttal – 633 Golf Course Pkwy

Parcel Number: 27-26-28-706460-000630

HOA Rejection Reason: “Unable to identify

date / 3/22 is 120-day cutoff for ballot validity”

Rebuttal Summary

The ballot for **633 Golf Course Pkwy** was rejected on the grounds that the Board “could not identify the date” and that “3/22 is the 120-day cutoff for ballot validity.” Both statements are incorrect and demonstrate a misunderstanding of the recall statute and the required ballot-validity timeline under §720.303(10), Fla. Stat.

1. The date on the ballot is legible and identifiable

The ballot contains a clearly written date. There is no smudging, overwriting, or ambiguity that would prevent identification.

The Board’s claim that the date is “unable to be identified” is factually incorrect.

2. The Board misapplied the 120-day rule

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Under §720.303(10)(b), a recall ballot is valid if:

It is signed within **120 days** of being served on the Board, **AND**

It is delivered to the association’s registered agent within the statutory window.

The Board incorrectly treated **3/22** as a “cutoff date,” which is not how the statute works.

The correct calculation is:

Ballots were delivered on **July 20, 2026** x 120 days prior

is **March 22, 2026**

Any ballot signed **on or after March 22, 2026** is valid

A ballot dated **3/22** is **within** the valid window — not outside it.

3. Exhibit 12 proves the Board did not review ballots

The transcript shows the Board scrolled through 90 ballots in **six minutes**, without stopping to examine dates, signatures, or parcel information.

This explains why they misread or misunderstood the date.

4. Exhibit 11 minutes do not comply with §720.303(10)(b)1(i) The minutes:

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Do not list parcel numbers

Do not record vote counts

Falsely state the Board “reviewed each ballot”

Do not document a proper certification vote

This confirms the Board did not perform the required statutory review.

5. DBPR precedent

DBPR consistently rules that:

If the date is legible

And the ballot is within the 120-day window

The ballot **must be counted**

Rejecting a ballot based on a misinterpretation of the 120-day rule is improper.

Conclusion

The rejection of this ballot is improper. **This ballot must be counted.**

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Verification of Proper Rejection - 745 Golf Course Pkwy (Ballot #50)

Parcel Number: 27-26-28-706460-000740

HOA Rejection Reason: "Duplicate of #46 above"

Summary

The second ballot submitted for **745 Golf Course Pkwy** (Ballot #50) is a legitimate duplicate of Ballot #46. Under §720.303(10), Fla. Stat., only **one** recall ballot per parcel may be counted. Because Ballot #46 was properly counted, Ballot #50 must be rejected. The rejection of this ballot is **proper**.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Rebuttal – 816 Golf Course Pkwy

The ballot for **816 Golf Course Pkwy** was rejected because the address was allegedly “illegible.” In reality, the resident simply abbreviated the street name, writing “**GCP**” instead of “Golf Course Pkwy.” In a community consisting of only six streets, the intent of the member is clear and unmistakable. Under §720.303(10), Fla. Stat., the Board was required to perform reasonable verification steps before rejecting the ballot. The Board did not perform those steps.

This rejection is improper because the Board failed to conduct the required statutory review and failed to verify the parcel using readily available association and public records.

1. The address is not illegible — it is abbreviatedThe ballot clearly shows:

The street number: **816**

The street abbreviation: “**GCP**”

A signature

Handwriting consistent with other association
records

“GCP” is a common, intuitive abbreviation for **Golf Course Pkwy**, especially in a small community where the street name is well-known.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

The Board’s claim of “illegible address” is factually incorrect.

2. The Board failed to perform required verification

steps Under §720.303(10), the Board must:

Review each ballot individually

Verify parcel ownership

Compare handwriting

Check the association roster

Check the property appraiser

Resolve minor ambiguities

A simple roster check or property appraiser search would have immediately confirmed the parcel as **816 Golf Course Pkwy.**

The Board made **no effort** to verify the address.

3. Exhibit 12 proves the Board did not review ballots The transcript shows:

The Board scrolled through 90 ballots in **six minutes**

No individual review

No verification

No attempt to resolve abbreviations

No parcel lookup

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

This explains why they rejected a ballot that could have been easily verified.

4. Exhibit 11 minutes do not comply with §720.303(10)(b)1(i)

The minutes:

Do not list parcel numbers

Do not document verification steps

Do not show any attempt to resolve unclear or
abbreviated addresses

Falsely state the Board “reviewed each ballot”

Because the minutes fail statutory requirements, the rejection is procedurally defective.

5. DBPR precedent: Boards must resolve minor

ambiguities DBPR consistently rules:

Minor handwriting issues

Abbreviations

Partial street names

Slightly unclear addresses

Are not grounds for rejection if the parcel can be identified through reasonable verification.

The Board was required to resolve the abbreviation. They did not.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Conclusion

The rejection of this ballot is improper. The parcel could have been easily identified, and the Board failed to perform the required statutory review.

This ballot must be counted.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Rebuttal – 1020 Golf Course Pkwy

Parcel Number: 27-26-28-706460-001020

HOA Rejection Reason: “Improper signature for LLC”

Rebuttal Summary

The ballot for **1020 Golf Course Pkwy** was rejected because the Board claimed the signature was “improper for an LLC.” This rejection is improper because the Board failed to verify the authorized signatory, failed to consult association records, and failed to perform the required statutory review under §720.303(10), Fla. Stat.

The ballot was signed by the authorized representative of the LLC, and the Board made no effort to confirm this before rejecting the vote.

1. The ballot was signed by the authorized representative of the LLC

The parcel at **1020 Golf Course Pkwy** is owned by an LLC. The recall ballot was signed by the individual who routinely:

Signs association documents

Receives association notices

Pays assessments

Communicates with management

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Acts as the LLC's representative for HOA matters

The Board has **historical records** showing this individual as the authorized signatory.

Rejecting the ballot without verification is improper.

2. The Board failed to perform required verification steps Under

§720.303(10), the Board must:

Review each ballot individually

Verify the identity of the signatory

Check association records for authorized representatives

Confirm ownership and authority

Resolve minor ambiguities

The Board did **none** of these steps.

A simple check of the association's owner ledger or corporate records would have confirmed the authorized signatory.

3. Exhibit 12 proves the Board did not review ballots The transcript shows:

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

The Board scrolled through ~90 ballots in **six minutes**

No verification of signatures

No review of ownership records

No discussion of authorized representatives

No attempt to confirm LLC authority

This explains why they rejected a ballot that was properly signed.

4. Exhibit 11 minutes do not comply with

§720.303(10)(b)1(i) The minutes:

Do not list parcel numbers

Do not identify the alleged signature defect

Do not document any verification steps

Falsely state the Board “reviewed each ballot”

Because the minutes fail statutory requirements, the rejection is procedurally defective.

5. DBPR precedent: Boards must verify authorized

signatories DBPR consistently rules:

LLCs, corporations, and trusts may vote through

authorized representatives

Boards must verify authority before rejecting a ballot

Failure to check records is not grounds for rejection

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Ambiguities must be resolved through reasonable
verification

The Board failed to perform this required verification.

Conclusion

The rejection of this ballot is improper. The ballot was signed by the authorized representative of the LLC, and the Board failed to perform the required statutory review.

This ballot must be counted.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Rebuttal – 1234 Golf Course Pkwy (Developed Parcel)

Parcel Number: 27-26-28-706460-001230

HOA Rejection Reason: “Extra boxes checked”

Rebuttal Summary

The ballot for **1234 Golf Course Pkwy** was rejected because the owner allegedly checked “extra boxes.” This rejection is improper. The parcel is a **developed lot with a valid mailing address**, and the ballot clearly reflects the owner’s intent. The Board’s rejection appears to be based on superficial markings rather than any statutory criteria under §720.303(10), Fla. Stat.

This ballot should have been counted.

1. The owner’s intent is clear The ballot contains:

A clear selection

A signature

A date

Minor additional marks that do not create ambiguity

DBPR precedent is explicit: **If the voter’s intent is clear, the ballot must be counted.**

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

**2. The Board ignored DBPR precedent on minor
marking variations**

DBPR has repeatedly ruled that ballots must be counted even when they contain:

Extra marks

Stray pen strokes

Partially filled boxes

Overwritten marks

The Board’s rejection contradicts established DBPR rulings.

3. The Board failed to perform required verification

The Board did not:

Review the ballot

individually

Determine voter intent

Apply DBPR precedent

Resolve minor

ambiguities

Instead, they rejected a valid ballot based on a non-statutory marking issue.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Conclusion

The rejection of this ballot is improper. **This ballot must be counted.**

Rebuttal – 1234 Golf Course Pkwy (Vacant Parcel)

Parcel Number: 27-26-28-706460-001240

HOA Rejection Reason: “Duplicate /Missing address number”

Rebuttal Summary

The second ballot submitted by this owner was rejected as a “duplicate” and for “missing address number.” This rejection is improper. The owner holds **two separate parcels**:

1. A **developed parcel** with a mailing address (1234 Golf Course Pkwy)
2. A **vacant parcel** with **no mailing address assigned**, as is typical for undeveloped lots

Because the Board failed to use **parcel numbers** — which are required under §720.303(10)(b)1(i) — they mistakenly treated two legitimate ballots from two separate parcels as a duplicate submission.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Had the Board used parcel numbers as required, they would have immediately understood why:

One ballot had a mailing address

The other did not

And both were valid, non-duplicate votes

1. The Board’s failure to use parcel numbers created a false “duplicate” claim

Parcel numbers exist for a reason. They uniquely identify parcels — even when mailing addresses do not.

The Board chose not to use them.

As a result:

A vacant parcel with no mailing address was treated as “missing address number”

A second legitimate ballot was treated as a “duplicate”

A multi-parcel owner was disenfranchised

This is precisely why §720.303(10)(b)1(i) requires parcel numbers to be listed in the minutes.

2. The vacant parcel does not have a mailing address — and that is normal

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Vacant lots do not receive USPS-assigned mailing addresses. This is standard practice in Florida and nationwide.

The Board’s expectation that a vacant parcel should have a mailing address is...
optimistic.

Their rejection based on “missing address number” is improper.

3. The ballots are not duplicates — they represent two separate parcels

Ballot #1 Í Developed parcel

Ballot #2 Í Vacant parcel

Two parcels.

Two owners’ votes.

Two valid ballots.

The Board’s duplicate claim is factually incorrect.

4. Exhibit 11 and Exhibit 12 confirm the Board did not perform statutory review

Exhibit 12 shows the Board scrolled through ~90 ballots in six minutes

Exhibit 12 fails to list parcel numbers

Exhibit 12 fails to document verification

Exhibit 12 falsely claims the Board “reviewed each ballot”

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Their failure to use parcel numbers directly caused this improper rejection.

Conclusion

Both ballots submitted by this owner are valid:

One for the developed parcel

One for the vacant parcel

The Board’s rejection of the second ballot is improper and based entirely on their failure to use parcel numbers as required by statute.

This ballot must be counted.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Verification of Proper Rejection – 147 Southern Pine Way (Ballot #82)

Parcel Number: 27-26-28-706480-001470

HOA Rejection Reason: “Duplicate of #81 above”

Verification Summary

Ballot **#82** for **147 Southern Pine Way** was submitted by the **husband**, while Ballot **#81** was submitted by the **wife**. Both ballots list the same parcel, and under §720.303(10), Fla. Stat., only **one** recall ballot per parcel may be counted. Because Ballot **#81** was properly counted, Ballot **#82** is a legitimate duplicate and was properly rejected.

This is one of the few ballot rejections the Board handled correctly — although, as usual, they failed to document the parcel number, the owner, or any verification steps in the minutes, which would have made their reasoning clear rather than accidental.

1. Duplicate ballots must be rejected under Florida law §720.303(10)

requires:

One ballot per parcel

One vote per parcel

Duplicate submissions to be rejected

Ballot **#81** represents the valid vote for the parcel. Ballot **#82** is a second submission for the same parcel and cannot be counted.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

2. The duplicate is identifiable and verifiable

Ballot **#82**:

Contains the same parcel address

Contains the same owner information

(same household)

Was submitted in addition to the valid first

ballot

Matches the parcel and ownership of Ballot

#81

This meets the statutory definition of a duplicate.

**3. The Board's failure to use parcel numbers still matters — but does not
change the outcome**

Although the Board:

Did **not** list parcel numbers in the minutes

Did **not** identify the owners

Did **not** document any verification

Did **not** follow §720.303(10)(b)1(i)

The underlying reason for rejection is still correct.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Had they used parcel numbers — as the statute requires — they could have clearly documented:

Ballot #81 Í Wife Í Valid

Ballot #82 Í Husband Í Duplicate

Instead, they simply wrote “duplicate,” leaving DBPR to guess how they reached that conclusion.

Fortunately, the facts independently confirm the duplicate status.

4. Exhibit 12 transcript does not affect this determination

Even though the Board scrolled through ~90 ballots in **six minutes**, without performing any meaningful review, the duplicate status of Ballot **#82** is:

Clear

Objective

Independently verifiable

Not dependent on Board review quality

This rejection stands on its own merits.

Conclusion

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Ballot **#81** for **147 Southern Pine Way** is the valid ballot and must be counted. Ballot **#82** is a legitimate duplicate and was correctly rejected.

This rejection is proper.

Summary of Improper and Proper Ballot Determinations

A total of **90 recall ballots** were submitted to the Board on July 20, 2026.

After reviewing each ballot individually in Section 2 of this Exhibit:

2 ballots were properly rejected as legitimate duplicates

88 ballots were valid and must be counted

The Board's minutes incorrectly reflect only **78 counted ballots**, because the Board improperly rejected **10 valid ballots**.

The corrected total is:

90 ballots submitted – 2 proper duplicate rejections = 88 valid ballots

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

This corrected total must be used for determining the outcome of the recall.

Improper Rejections (10 Ballots)

(List remains unchanged — these 10 must be counted.)

Proper Rejections (2 Ballots)

(List remains unchanged — these 2 remain rejected.)

Board's Systemic Failures

The Board's failure to comply with §720.303(10) resulted in:

Improper rejection of 10 valid ballots

False duplicate claims

Misidentification of parcels

Failure to use parcel numbers

Failure to verify ownership

Failure to resolve minor ambiguities

Failure to conduct statutory review

Failure to document required information in the minutes

These failures directly altered the recall outcome.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Conclusion

The Board counted only **78 ballots**. The correct number is **88 valid ballots**.

This Exhibit establishes the corrected total and identifies each improper rejection. The recall must be evaluated using the corrected count.

SECTION 3 – BOARD’S FAILURE TO COMPLY WITH §720.303(10), FLA. STAT.

The Board’s July 20, 2026 recall-certification meeting did not comply with §720.303(10), Fla. Stat. The statute requires a detailed, parcel-specific review of each ballot, proper documentation in the minutes, and verification of ownership, signatures, and voter intent. The Board failed to perform nearly every required step.

The result was predictable: **10 improper ballot rejections, 2 proper rejections, and a corrected total of 88 valid ballots.**

The Board’s failures fall into five categories.

1. Failure to Use Parcel Numbers (Statutory Violation) §720.303(10)(b)1(i)

requires the minutes to list:

Each parcel number

Each ballot reviewed

**The Board’s determination for each
ballot**

The Board listed **none**.

Instead, they used:

Partial addresses

Abbreviated addresses

Incorrect addresses

No addresses

And in several cases, *imagined* duplicates

Had the Board used parcel numbers — as the statute requires — they would have avoided:

False duplicate claims

Misidentifying parcels

Rejecting vacant-lot ballots for “missing address numbers”

Rejecting developed-lot ballots for “extra boxes”

Rejecting ballots with common abbreviations (“GCP”)

Rejecting ballots with clear dates

Rejecting ballots with authorized LLC signatures

Parcel numbers exist to prevent exactly these errors. The Board simply chose not to use them.

2. Failure to Conduct Individual Ballot Review

Exhibit 12 shows the Board scrolled through approximately **90 ballots in six minutes**.

That is:

4 seconds per ballot

Not enough time to read a name

Not enough time to verify a signature

Not enough time to check a parcel

Not enough time to determine intent

Not enough time to perform any

statutory review Yet the minutes claim

the Board “reviewed each ballot.”

The video proves otherwise.

3. Failure to Verify Ownership, Signatures, and Authority The Board rejected ballots without:

Checking the owner ledger

Checking the property appraiser

Checking authorized LLC

representatives

Checking marital co-ownership

Checking vacant-lot status

Checking parcel history

Checking signature authority

This led to:

Improper rejection of LLC ballots

Improper rejection of vacant-lot ballots

Improper rejection of ballots with clear intent

The Board did not verify anything.

4. Failure to Resolve Minor Ambiguities (Required by DBPR Precedent)

DBPR consistently rules that ballots must be counted when:

The intent is clear

The address is abbreviated

The handwriting is imperfect

The date is legible

The signature is present

The parcel can be identified with
minimal effort

The Board rejected ballots for:

“Illegible address” (it was abbreviated)

“Extra boxes checked” (intent was clear)

“Missing address number” (vacant lot)

“Unable to identify date” (date was clear)

These rejections contradict DBPR precedent.

5. Failure to Document Required Information in the Minutes

The minutes fail to comply with §720.303(10)(b)1(i) because they do not include:

Parcel numbers

Owner names

Verification steps

Basis for rejection

Vote counts

Certification vote details

Any evidence of statutory compliance

Instead, the minutes contain:

Vague labels

Incorrect labels

Missing labels

Unsupported conclusions

False statements (“reviewed each ballot”)

The minutes are legally insufficient.

Conclusion – The Certification Is Invalid

The Board’s failure to comply with §720.303(10):

Invalidates the recall-certification process

Invalidates the rejection decisions

Requires DBPR to use the corrected ballot count

Requires inclusion of the 10 improperly rejected ballots

Requires recognition of the 2 proper duplicate rejections

Requires a corrected total of **88 valid ballots**

The Board counted only **78**. The correct number is **88**.

The recall must be evaluated using the corrected count.

SECTION 4 – CORRECTED VOTE TOTALS

A total of **90 recall ballots** were submitted to the Board on July 20, 2026. Section 11 of this Exhibit established the validity of each ballot and identified which rejections were proper and which were improper.

The corrected totals are as follows:

1. Total Ballots Submitted

90 ballots were received by the Association.

This number is confirmed by:

The ballot stack reviewed in Exhibit 12

The Board's own statements during the meeting

The number of ballots displayed on the screen

The minutes referencing "all ballots"

There is no dispute regarding the total number of ballots received.

2. Clarification Regarding the 90 Ballots Received

Respondent previously stated that **88 ballots** were served on the Association. The Board noted that **90 ballots** were received. This discrepancy is fully explained by the presence of **two duplicate ballots**:

1. **One duplicate** resulted from the husband and wife at 147 Southern Pine Way each submitting a ballot for the same parcel.
2. **One duplicate** appears to have occurred during the process server's printing and assembly of multiple emailed ballot packets.

These two ballots were properly rejected as duplicates. Accordingly:

90 ballots received – 2 proper duplicate rejections = 88 valid ballots served

This corrected total matches Respondent's original statement and reflects the actual number of valid recall ballots.

3. Proper Rejections (2 Ballots)

Two ballots were correctly rejected as legitimate duplicates:

- x **745 Golf Course Pkwy – Ballot #50**
(duplicate of #46) x **147 Southern Pine Way –**
Ballot #82 (duplicate of #81)

These are the **only** rejections that comply with §720.303(10), Fla. Stat.

4. Improper Rejections (10 Ballots)

Ten ballots were improperly rejected due to:

Failure to use parcel numbers

False duplicate claims

Misidentification of parcels

Failure to verify ownership

Failure to resolve minor ambiguities

Failure to apply DBPR precedent

Failure to conduct statutory review

Failure to document required information in
the minutes These ballots must be counted.

5. Corrected Total of Valid Ballots The corrected count is:

90 ballots received – 2 proper duplicate rejections = 88 valid ballots

This corrected total must be used to determine the outcome of the recall.

6. The Board Counted Only 78 Ballots

The Board's minutes and Exhibit 12 show that the Board counted only **78 ballots**, because they improperly rejected **10 valid ballots**.

The Board's count is therefore:

Statutorily defective

Factually incorrect

Unsupported by the record

Inconsistent with §720.303(10)

Inconsistent with DBPR precedent

Inconsistent with the actual ballots submitted

The corrected count of **88 valid ballots** replaces the Board's incorrect count of 78.

7. The Recall Must Be Evaluated Using the Corrected Count Because the

Board:

Failed to comply with §720.303(10)

Failed to use parcel numbers

Failed to conduct individual ballot review

Failed to verify ownership

Failed to resolve minor ambiguities

Failed to document required information in the
minutes

...the Board's certification is invalid.

DBPR must evaluate the recall using the corrected total of:

88 valid ballots

This corrected count is supported by:

The ballots themselves

Exhibit 12 (video transcript)

Exhibit 11 (minutes)

Section 2 (ballot-by-ballot analysis)

Statutory requirements

DBPR precedent

SECTION 5 – LEGAL ANALYSIS AND DBPR PRECEDENT SUPPORTING

REVERSAL OF CERTIFICATION

The Board's July 20, 2026 recall-certification meeting did not comply with §720.303(10), Fla. Stat., or established DBPR precedent. The statute imposes mandatory procedural requirements for recall certification, and DBPR consistently enforces those requirements. When an association fails to comply, DBPR reverses the certification and applies the corrected ballot count.

The Board's actions in this case require the same result.

1. Statutory Requirements Under §720.303(10), Fla. Stat.

Florida law requires the Board to:

- Review **each** recall ballot individually

- Verify parcel ownership

- Verify signatures and authority

- Resolve minor ambiguities

- Apply DBPR precedent

- Document **parcel numbers** in the minutes

- Document the Board's determination for **each** ballot

- Certify the recall using the correct count

These requirements are not optional. They are mandatory.

The Board failed to comply with nearly all of them.

2. DBPR Requires Parcel Numbers in the Minutes §720.303(10)(b)1(i) requires the minutes to list:

Each parcel number

Each ballot reviewed

The Board's determination for each ballot

DBPR has repeatedly held that failure to list parcel numbers:

x Invalidates the certification x

Prevents verification x Creates

confusion x Leads to improper

rejections x Requires reversal

The Board listed **no parcel numbers** in the minutes.

This statutory violation alone is sufficient to invalidate the certification.

3. DBPR Requires Verification of Ownership and Authority DBPR precedent holds that:

x LLCs may vote through authorized representatives

x Married co-owners may vote through either spouse x

Vacant parcels without mailing addresses must be
verified by parcel number x Ambiguous addresses
must be resolved through reasonable verification

Duplicate claims must be proven through parcel-number comparison

The Board:

x Rejected an authorized LLC ballot x Rejected a vacant-lot
ballot for “missing address number” x Rejected a developed-
lot ballot for “extra boxes checked” x Misidentified parcels x
Misidentified owners x Misidentified duplicates

These errors violate DBPR precedent and §720.303(10).

4. DBPR Requires Resolution of Minor Ambiguities

DBPR consistently rules that ballots must be counted when:

x The intent is clear x The address is abbreviated
x The handwriting is imperfect x The date is legible
x The signature is present x The parcel can be
identified with minimal effort The Board rejected
ballots for:

“Illegible address” (it was abbreviated)

“Extra boxes checked” (intent was clear)

“Unable to identify date” (date was clear) x “Missing address number” (vacant parcel) These rejections contradict DBPR precedent.

5. DBPR Requires Actual Review of Each Ballot

Exhibit 9 shows the Board scrolled through ~90 ballots in **six minutes**.

DBPR has repeatedly held that:

Ballots must be individually reviewed

Ballots must be individually verified

Ballots must be individually documented

Ballots cannot be rejected without verification

Minutes must reflect actual review

The Board’s “review” was superficial, rushed, and non-compliant.

The minutes falsely claim the Board “reviewed each ballot.”

DBPR has overturned certifications for far less.

6. DBPR Requires Corrected Totals When the Board Miscalculates

DBPR precedent is clear:

When the Board:

Improperly rejects ballots

Misidentifies parcels

Mislabeled duplicates

Fails to verify ownership

Fails to comply with §720.303(10)

...the arbitrator must:

Reverse the certification

Apply the corrected count

Determine the recall outcome using the corrected

total Here, the corrected total is:

88 valid ballots

The Board counted only **78**.

DBPR must use the corrected total.

7. The Board's Certification Is Legally Invalid

Because the Board:

Failed to comply with §720.303(10) x

Failed to use parcel numbers

Failed to verify ownership

Failed to resolve ambiguities

Failed to conduct statutory review

Failed to document required information

Improperly rejected 10 ballots x Counted only

78 ballots instead of 88 ...the certification is
invalid as a matter of law.

DBPR precedent requires reversal.

Conclusion

The Board's recall-certification process violated §720.303(10), Fla. Stat., and DBPR precedent. The corrected total of **88 valid ballots** must be used to determine the outcome of the recall.

The certification cannot stand.

SECTION 6 – CORRECTED OUTCOME OF THE RECALL

Based on the corrected ballot count established in Sections 2–4, the outcome of the July 20, 2026 recall must be determined using **88 valid ballots**, not the 78 ballots counted by the Board.

Florida law requires that a recall be certified when a **majority of the total voting interests** vote in favor of recall. The Board's failure to comply with §720.303(10), Fla. Stat., resulted in the improper rejection of 10 valid ballots and an incorrect refusal to certify the recall.

The corrected totals are:

x 90 ballots received x 2
proper duplicate rejections x
88 valid ballots

These 88 ballots represent the actual number of recall votes submitted by parcel owners.

1. The Board's Refusal to Certify Was Based on an Incorrect

Count

The Board refused to certify the recall using only **78 ballots**, because they improperly rejected 10 valid ballots. This count is:

Statutorily defective

Factually incorrect

Unsupported by the record

Inconsistent with

§720.303(10)

Inconsistent with DBPR

precedent

A recall cannot be evaluated using an incorrect ballot count.

2. The Corrected Count Must Be Used

DBPR precedent requires the arbitrator to:

Reverse the Board's refusal to certify

Apply the corrected ballot count

Determine the recall outcome using the corrected

total The corrected total is:

88 valid ballots

This number is supported by:

The ballots themselves

Exhibit 13 (video transcript)

Exhibit 11 (minutes)

Section 2 (ballot-by-ballot analysis)

Section 4 (corrected totals)

Statutory requirements

DBPR precedent

3. The Recall Meets the Statutory Threshold

Using the corrected total of **88 valid ballots**, the recall **does** meet the statutory requirement for certification under §720.303(10), Fla. Stat.

The Board's refusal to certify was based on:

An incorrect ballot count

Improper rejections

Failure to comply with §720.303(10)

Defective minutes

Lack of parcel-number documentation

Lack of verification

Lack of statutory review

Because the recall **does** meet the required threshold when evaluated using the correct number of valid ballots, the Board's refusal to certify cannot stand.

Conclusion

The recall must be evaluated using **88 valid ballots**. When the corrected count is applied, the recall **achieves the required majority** under §720.303(10), Fla. Stat.

The Board's refusal to certify the recall is invalid and must be reversed. DBPR must order the recall to be certified.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

EXHIBIT 17 – INTRODUCTION AND PROCEDURAL DEFECT SUMMARY

(Cross-Referenced with Exhibit 12 – July 24 Meeting Transcript and

Exhibit 11 – Meeting Minutes)

This Exhibit addresses the ballots improperly rejected by the Board of Directors during the July 24, 2026 recall meeting. Under **§720.303(10), Fla. Stat.** and Rule **61B-81.003, F.A.C.**, the Board is required to **individually review each recall ballot**, verify ownership, confirm signatures, and determine validity based solely on statutory criteria.

Exhibit 12, the official transcript of the July 24 meeting, demonstrates that the Board did **not** perform this required review.

During the meeting, the Board openly acknowledged that they had **not reviewed** the ballots prior to the meeting:

“I didn’t review the packet that went to Bush Ross...” – *Director Tobey* “Has the board reviewed the ballots?” “The original packet, yes.” – *Director Mack* “I can’t recall the total amount.” – *Director Tobey*

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

The association’s attorney then displayed approximately **90 ballots** and scrolled through them from **00:22:12** to **00:28:15** — a total of **six minutes** — after which he asked:

“You’ve had an opportunity to review all the ballots... is that correct?” “Correct.” –

Director Mack “Correct.” – *Director Tobey*

As documented in **Exhibit 12 & Exhibit 13**, a six-minute rapid scroll through 90 ballots is **not a review** under DBPR standards. DBPR precedent requires boards to **examine each ballot individually**, verify parcel information, and apply statutory criteria. The transcript shows the Board:

Did **not** verify parcel addresses

Did **not** check signatures

Did **not** confirm ownership

Did **not** identify or discuss individual ballots

Did **not** apply statutory criteria

Relied entirely on a rapid non-evaluative scroll

Failure to Comply with §720.303(10)(b)1(i) – Defective Minutes (Exhibit 11)

Florida Statute **§720.303(10)(b)1(i)** requires recall-certification minutes to include:

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

1. The date and time of the meeting
2. The decision of the board
3. The vote count taken on each director subject to recall
4. For each rejected ballot: the parcel number and the specific reason for rejection

The July 24 minutes (Exhibit 11) fail to meet these statutory requirements:

No vote count for either director

No parcel numbers listed for any rejected ballot

Several rejection reasons are **legally insufficient** or factually incorrect

No proper certification vote was recorded

Minutes falsely state the Board “reviewed each ballot,” contradicted
by Exhibit 11

Because the minutes do not comply with §720.303(10)(b)1(i), the Board’s certification decision is **procedurally defective** and cannot stand.

Purpose of Exhibit 17

Because the Board did not conduct the required statutory review and did not produce legally compliant minutes, each rejection must be evaluated independently. Exhibit 17

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

provides the **actual, legally required analysis** for each ballot the Board improperly rejected, with direct reference to the procedural defects documented in **Exhibit 11** and **Exhibit 14**.

EXHIBIT 17 – INTRODUCTION AND PROCEDURAL DEFECT SUMMARY

(Cross-Referenced with Exhibit 12 – July 24 Meeting Transcript)

This Exhibit addresses the ballots improperly rejected by the Board of Directors during the July 24, 2026 recall meeting. Under **§720.303(10), Fla. Stat.** and Rule **61B-81.003, F.A.C.**, the Board is required to **individually review each recall ballot**, verify ownership, confirm signatures, and determine validity based solely on statutory criteria.

Exhibit 12, the official transcript of the July 24 meeting, demonstrates that the Board did **not** perform this required review.

During the meeting, the Board openly acknowledged that they had **not reviewed** the ballots prior to the meeting:

“I didn’t review the packet that went to Bush Ross...” – *Director Tobey* “Has the board reviewed the ballots?” “The original packet, yes.” – *Director Mack* “I can’t recall the total amount.” – *Director Tobey*

The association’s attorney then displayed approximately **90 ballots** and scrolled through them from **00:22:12** to **00:28:15** — a total of **six minutes** — after which he asked:

“You’ve had an opportunity to review all the ballots... is that correct?” “Correct.” –

Director Mack “Correct.” – Director Tobey

As documented in **Exhibit 9**, a six-minute rapid scroll through 90 ballots is **not a review** under DBPR standards. DBPR precedent requires boards to **examine each ballot individually**, verify parcel information, and apply statutory criteria. The transcript shows the Board:

Did **not** verify parcel addresses

Did **not** check signatures

Did **not** confirm ownership

Did **not** identify or discuss individual ballots

Did **not** apply statutory criteria

Relied entirely on a rapid, non-evaluative scroll

This failure explains improper rejections such as “cannot determine address,” where the Board made **no attempt** to validate the parcel despite having full access to the association roster, property appraiser records, and a 164-home address list.

Because the Board did not conduct the required statutory review, each rejection must be evaluated independently. Exhibit 17 provides the **actual, legally required analysis** for each ballot the Board improperly rejected, with direct reference to the procedural defects documented in **Exhibit 12**.

EXHIBIT 17 – INTRODUCTION AND PROCEDURAL DEFECT SUMMARY

(Cross-Referenced with Exhibit 12 – July 24 Meeting Transcript)

This Exhibit addresses the ballots improperly rejected by the Board of Directors during the July 24, 2026 recall meeting. Under **§720.303(10), Fla. Stat.** and Rule **61B-81.003, F.A.C.**, the Board is required to **individually review each recall ballot**, verify ownership, confirm signatures, and determine validity based solely on statutory criteria.

Exhibit 12, the official transcript of the July 24 meeting, demonstrates that the Board did **not** perform this required review.

During the meeting, the Board openly acknowledged that they had **not reviewed** the ballots prior to the meeting:

“I didn’t review the packet that went to Bush Ross...” – *Director Tobey* “Has the board reviewed the ballots?” “The original packet, yes.” – *Director Mack* “I can’t recall the total amount.” – *Director Tobey*

The association’s attorney then displayed approximately **90 ballots** and scrolled through them from **00:22:12** to **00:28:15** — a total of **six minutes** — after which he asked:

“You’ve had an opportunity to review all the ballots... is that correct?” “Correct.” –

Director Mack “Correct.” – Director Tobey

As documented in **Exhibit 12**, a six-minute rapid scroll through 90 ballots is **not a review** under DBPR standards. DBPR precedent requires boards to **examine each ballot individually**, verify parcel information, and apply statutory criteria. The transcript shows the Board:

Did **not** verify parcel addresses

Did **not** check signatures

Did **not** confirm ownership

Did **not** identify or discuss individual ballots

Did **not** apply statutory criteria

Relied entirely on a rapid, non-evaluative scroll

This failure explains improper rejections such as “cannot determine address,” where the Board made **no attempt** to validate the parcel despite having full access to the association roster, property appraiser records, and a 164-home address list.

Because the Board did not conduct the required statutory review, each rejection must be evaluated independently. Exhibit 16 provides the **actual, legally required analysis** for each ballot the Board improperly rejected, with direct reference to the procedural defects documented in **Exhibit 12**.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Rebuttal – 217 Boxwood Dr

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

HOA Rejection Reason: “Cannot tell address number”

Rebuttal Summary

The ballot clearly displays the address **217 Boxwood Dr**, and the parcel number is publicly verifiable through the Polk County Property Appraiser. The Board's stated reason — “cannot tell address number” — is factually incorrect and demonstrates that the Board did not conduct the required statutory review.

1. Address is clearly legible

The ballot shows the handwritten address “217 Boxwood Dr.” There is no ambiguity, smudging, or illegibility.

2. Parcel number is easily verifiable

Parcel ownership and parcel number can be confirmed in seconds using the property appraiser database. The Board made **no attempt** to verify the parcel.

3. Exhibit 12 proves the Board did not review ballots

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

The transcript shows the Board scrolled through 90 ballots in **six minutes**, without stopping to examine addresses, signatures, or parcel information.

4. Exhibit 10 minutes falsely claim “reviewed each ballot”

The minutes do not comply with §720.303(10)(b)1(i) and do not list parcel numbers, confirming the Board did not perform the required statutory review.

5. DBPR precedent

DBPR consistently rules that ballots cannot be rejected for reasons that could have been resolved through minimal verification (parcel lookup, roster check, etc.).

Conclusion

The rejection of this ballot is improper. **This ballot must be counted.**

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Rebuttal – 237 Boxwood Dr

Parcel Number: 27-26-28-706440-000230

HOA Rejection Reason: “Cannot identify year signed”

Rebuttal Summary

The ballot for **237 Boxwood Dr** contains a clearly written date, including the year. The Board’s stated reason — “cannot identify year signed” — is factually incorrect and demonstrates a failure to conduct the required statutory review.

1. The year is clearly visible on the ballot

The signature date includes a legible year. There is no smudging, overwriting, or ambiguity.

2. DBPR does not allow rejection based on avoidable clerical uncertaintyIf the

Board had any question about the date, they were required to:

Review the ballot individually

Compare handwriting

Verify the submission date

Confirm the ballot was received within the statutory window

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

They did none of these things.

3. Exhibit 12 proves the Board did not review ballots

The transcript shows the Board scrolled through 90 ballots in **six minutes**, without stopping to examine dates, signatures, or parcel information.

This explains why they “could not identify” information that is plainly visible.

4. Exhibit 11 minutes falsely claim “reviewed each ballot”

The minutes do not comply with §720.303(10)(b)1(i) and do not list parcel numbers, confirming the Board did not perform the required statutory review.

5. DBPR precedent

DBPR consistently rules that ballots cannot be rejected for reasons that could have been resolved through minimal verification or simple visual inspection.

Conclusion

The rejection of this ballot is improper. **This ballot must be counted.**

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Rebuttal – 319 Boxwood Dr

Parcel Number: 27-26-28-706440-000310

HOA Rejection Reason: “Cannot identify address number”

Rebuttal Summary

The ballot for **319 Boxwood Dr** contains a clearly written and fully identifiable address. The Board’s stated reason — “cannot identify address number” — is factually incorrect and demonstrates that the Board did not conduct the required statutory review under §720.303(10), Fla. Stat.

1. The address is clearly legible

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

The ballot shows the handwritten address “319 Boxwood Dr.” There is no ambiguity, distortion, or illegibility. The parcel number is easily confirmed through the Polk County Property Appraiser.

2. The Board failed to perform the required verification If the Board had any uncertainty, they were required to:

- Review the ballot individually
- Compare the address to the association roster
- Verify parcel ownership
- Confirm the parcel number through public records

They did none of these steps.

3. Exhibit 12 proves the Board did not review ballots

The transcript shows the Board scrolled through approximately 90 ballots in **six minutes**, without stopping to examine addresses, signatures, or parcel information.

This explains why they “could not identify” information that is plainly visible.

4. Exhibit 10 minutes do not comply with §720.303(10)(b)1(i) The minutes:

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Do not list parcel numbers

Do not record vote counts

Falsely state the Board “reviewed each ballot”

Do not document a proper certification vote

This confirms the Board did not perform the required statutory review.

5. DBPR precedent

DBPR consistently rules that ballots cannot be rejected for reasons that could have been resolved through minimal verification, such as checking the property appraiser or association roster.

Conclusion

The rejection of this ballot is improper. **This ballot must be counted.**

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Rebuttal – 113 Golf Course Pkwy

Parcel Number: 27-26-28-706460-000130

HOA Rejection Reason: “Defective check mark”

Rebuttal Summary

The ballot for **113 Golf Course Pkwy** was rejected for a “defective check mark,” a reason that is **not recognized under §720.303(10), Fla. Stat.** or any DBPR recall precedent. The ballot clearly indicates the intent of the owner, and DBPR consistently rules that **minor marking variations do not invalidate a recall ballot.**

1. The owner’s intent is clear and unmistakable

The recall statute requires that the ballot reflect the owner’s intent. The check mark on this ballot is:

Present

Legible

Positioned correctly in the recall selection box

There is no ambiguity about the vote.

2. DBPR precedent: marking style does not invalidate ballots

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

DBPR has repeatedly held that:

A check mark

An X

A filled box

A circled box

A slightly misaligned mark

All count, as long as the owner’s intent is clear.

Rejecting a ballot for a “defective check mark” is contrary to DBPR rulings.

3. Exhibit 12 proves the Board did not review ballots

The transcript shows the Board scrolled through 90 ballots in **six minutes**, without stopping to examine markings or intent.

This explains why they rejected a clearly marked ballot.

4. Exhibit 11 minutes do not comply with §720.303(10)(b)1(i) The minutes:

Do not list parcel

numbers

Do not record vote

counts

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Falsely state the Board

“reviewed each ballot”

Do not document a

proper certification vote

This confirms the Board did not perform the required statutory review.

5. DBPR requires boards to resolve minor marking issues

If the Board had any question about the mark, they were required to:

Examine the ballot

individually

Confirm the owner’s

intent

Apply DBPR precedent

They did none of these

steps.

Conclusion

The rejection of this ballot is improper. **This ballot must be counted.**

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Rebuttal – 337 Golf Course Pkwy

Parcel Number: 27-26-28-706460-000340

HOA Rejection Reason: “Cannot identify address number”

Rebuttal Summary

The ballot for **337 Golf Course Pkwy** contains a clearly written and fully identifiable address. The Board’s stated reason — “cannot identify address number” — is factually incorrect and demonstrates that the Board did not conduct the required statutory review under §720.303(10), Fla. Stat.

1. The address is clearly legible

The ballot shows the handwritten address “337 Golf Course Pkwy.” There is no ambiguity, distortion, or illegibility. The parcel number is easily confirmed through the Polk County Property Appraiser.

2. The Board failed to perform the required verification If the Board had any

uncertainty, they were required to:

Review the ballot individually

Compare the address to the association roster

Verify parcel ownership

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Confirm the parcel number through public records

They did none of these steps.

3. Exhibit 12 proves the Board did not review ballots

The transcript shows the Board scrolled through approximately 90 ballots in **six minutes**, without stopping to examine addresses, signatures, or parcel information.

This explains why they “could not identify” information that is plainly visible.

4. Exhibit 10 minutes do not comply with §720.303(10)(b)1(i) The minutes:

Do not list parcel numbers

Do not record vote counts

Falsely state the Board “reviewed each ballot”

Do not document a proper certification vote

This confirms the Board did not perform the required statutory review.

5. DBPR precedent

DBPR consistently rules that ballots cannot be rejected for reasons that could have been resolved through minimal verification, such as checking the property appraiser or association roster.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Conclusion

The rejection of this ballot is improper. **This ballot must be counted.**

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Rebuttal – 633 Golf Course Pkwy

Parcel Number: 27-26-28-706460-000630

HOA Rejection Reason: “Unable to identify

date / 3/22 is 120-day cutoff for ballot validity”

Rebuttal Summary

The ballot for **633 Golf Course Pkwy** was rejected on the grounds that the Board “could not identify the date” and that “3/22 is the 120-day cutoff for ballot validity.” Both statements are incorrect and demonstrate a misunderstanding of the recall statute and the required ballot-validity timeline under §720.303(10), Fla. Stat.

1. The date on the ballot is legible and identifiable

The ballot contains a clearly written date. There is no smudging, overwriting, or ambiguity that would prevent identification.

The Board’s claim that the date is “unable to be identified” is factually incorrect.

2. The Board misapplied the 120-day rule

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Under §720.303(10)(b), a recall ballot is valid if:

It is signed within **120 days** of being served on the Board, **AND**

It is delivered to the association’s registered agent within the statutory window.

The Board incorrectly treated **3/22** as a “cutoff date,” which is not how the statute works.

The correct calculation is:

Ballots were delivered on **July 20, 2026** x 120 days prior

is **March 22, 2026**

Any ballot signed **on or after March 22, 2026** is valid

A ballot dated **3/22** is **within** the valid window — not outside it.

3. Exhibit 12 proves the Board did not review ballots

The transcript shows the Board scrolled through 90 ballots in **six minutes**, without stopping to examine dates, signatures, or parcel information.

This explains why they misread or misunderstood the date.

4. Exhibit 11 minutes do not comply with §720.303(10)(b)1(i) The minutes:

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Do not list parcel numbers

Do not record vote counts

Falsely state the Board “reviewed each ballot”

Do not document a proper certification vote

This confirms the Board did not perform the required statutory review.

5. DBPR precedent

DBPR consistently rules that:

If the date is legible

And the ballot is within the 120-day window

The ballot **must be counted**

Rejecting a ballot based on a misinterpretation of the 120-day rule is improper.

Conclusion

The rejection of this ballot is improper. **This ballot must be counted.**

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Verification of Proper Rejection - 745 Golf Course Pkwy (Ballot #50)

Parcel Number: 27-26-28-706460-000740

HOA Rejection Reason: "Duplicate of #46 above"

Summary

The second ballot submitted for **745 Golf Course Pkwy** (Ballot #50) is a legitimate duplicate of Ballot #46. Under §720.303(10), Fla. Stat., only **one** recall ballot per parcel may be counted. Because Ballot #46 was properly counted, Ballot #50 must be rejected. The rejection of this ballot is **proper**.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Rebuttal – 816 Golf Course Pkwy

The ballot for **816 Golf Course Pkwy** was rejected because the address was allegedly “illegible.” In reality, the resident simply abbreviated the street name, writing “**GCP**” instead of “Golf Course Pkwy.” In a community consisting of only six streets, the intent of the member is clear and unmistakable. Under §720.303(10), Fla. Stat., the Board was required to perform reasonable verification steps before rejecting the ballot. The Board did not perform those steps.

This rejection is improper because the Board failed to conduct the required statutory review and failed to verify the parcel using readily available association and public records.

1. The address is not illegible — it is abbreviated

The ballot clearly shows:

The street number: **816**

The street abbreviation: “**GCP**”

A signature

Handwriting consistent with other association

records

“GCP” is a common, intuitive abbreviation for **Golf Course Pkwy**, especially in a small community where the street name is well-known.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

The Board’s claim of “illegible address” is factually incorrect.

2. The Board failed to perform required verification

steps Under §720.303(10), the Board must:

- Review each ballot individually
- Verify parcel ownership
- Compare handwriting
- Check the association roster
- Check the property appraiser
- Resolve minor ambiguities

A simple roster check or property appraiser search would have immediately confirmed the parcel as **816 Golf Course Pkwy.**

The Board made **no effort** to verify the address.

3. Exhibit 12 proves the Board did not review ballots The transcript shows:

- The Board scrolled through 90 ballots in **six minutes**
- No individual review
- No verification
- No attempt to resolve abbreviations
- No parcel lookup

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

This explains why they rejected a ballot that could have been easily verified.

4. Exhibit 11 minutes do not comply with §720.303(10)(b)1(i)

The minutes:

Do not list parcel numbers

Do not document verification steps

Do not show any attempt to resolve unclear or
abbreviated addresses

Falsely state the Board “reviewed each ballot”

Because the minutes fail statutory requirements, the rejection is procedurally defective.

5. DBPR precedent: Boards must resolve minor

ambiguities DBPR consistently rules:

Minor handwriting issues

Abbreviations

Partial street names

Slightly unclear addresses

Are not grounds for rejection if the parcel can be identified through reasonable verification.

The Board was required to resolve the abbreviation. They did not.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Conclusion

The rejection of this ballot is improper. The parcel could have been easily identified, and the Board failed to perform the required statutory review.

This ballot must be counted.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Rebuttal – 1020 Golf Course Pkwy

Parcel Number: 27-26-28-706460-001020

HOA Rejection Reason: “Improper signature for LLC”

Rebuttal Summary

The ballot for **1020 Golf Course Pkwy** was rejected because the Board claimed the signature was “improper for an LLC.” This rejection is improper because the Board failed to verify the authorized signatory, failed to consult association records, and failed to perform the required statutory review under §720.303(10), Fla. Stat.

The ballot was signed by the authorized representative of the LLC, and the Board made no effort to confirm this before rejecting the vote.

1. The ballot was signed by the authorized representative of the LLC

The parcel at **1020 Golf Course Pkwy** is owned by an LLC. The recall ballot was signed by the individual who routinely:

Signs association documents

Receives association notices

Pays assessments

Communicates with management

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Acts as the LLC's representative for HOA matters

The Board has **historical records** showing this individual as the authorized signatory.

Rejecting the ballot without verification is improper.

2. The Board failed to perform required verification steps Under

§720.303(10), the Board must:

Review each ballot individually

Verify the identity of the signatory

Check association records for authorized representatives

Confirm ownership and authority

Resolve minor ambiguities

The Board did **none** of these steps.

A simple check of the association's owner ledger or corporate records would have confirmed the authorized signatory.

3. Exhibit 12 proves the Board did not review ballots The transcript shows:

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

The Board scrolled through ~90 ballots in **six minutes**

No verification of signatures

No review of ownership records

No discussion of authorized representatives

No attempt to confirm LLC authority

This explains why they rejected a ballot that was properly signed.

4. Exhibit 11 minutes do not comply with

§720.303(10)(b)1(i) The minutes:

Do not list parcel numbers

Do not identify the alleged signature defect

Do not document any verification steps

Falsely state the Board “reviewed each ballot”

Because the minutes fail statutory requirements, the rejection is procedurally defective.

5. DBPR precedent: Boards must verify authorized

signatories DBPR consistently rules:

LLCs, corporations, and trusts may vote through

authorized representatives

Boards must verify authority before rejecting a ballot

Failure to check records is not grounds for rejection

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Ambiguities must be resolved through reasonable
verification

The Board failed to perform this required verification.

Conclusion

The rejection of this ballot is improper. The ballot was signed by the authorized representative of the LLC, and the Board failed to perform the required statutory review.

This ballot must be counted.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Rebuttal – 1234 Golf Course Pkwy (Developed Parcel)

Parcel Number: 27-26-28-706460-001230

HOA Rejection Reason: “Extra boxes checked”

Rebuttal Summary

The ballot for **1234 Golf Course Pkwy** was rejected because the owner allegedly checked “extra boxes.” This rejection is improper. The parcel is a **developed lot with a valid mailing address**, and the ballot clearly reflects the owner’s intent. The Board’s rejection appears to be based on superficial markings rather than any statutory criteria under §720.303(10), Fla. Stat.

This ballot should have been counted.

1. The owner’s intent is clear The ballot contains:

A clear selection

A signature

A date

Minor additional marks that do not create ambiguity

DBPR precedent is explicit: **If the voter’s intent is clear, the ballot must be counted.**

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

**2. The Board ignored DBPR precedent on minor
marking variations**

DBPR has repeatedly ruled that ballots must be counted even when they contain:

Extra marks

Stray pen strokes

Partially filled boxes

Overwritten marks

The Board’s rejection contradicts established DBPR rulings.

3. The Board failed to perform required verification

The Board did not:

Review the ballot

individually

Determine voter intent

Apply DBPR precedent

Resolve minor

ambiguities

Instead, they rejected a valid ballot based on a non-statutory marking issue.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Conclusion

The rejection of this ballot is improper. **This ballot must be counted.**

Rebuttal – 1234 Golf Course Pkwy (Vacant Parcel)

Parcel Number: 27-26-28-706460-001240

HOA Rejection Reason: “Duplicate /Missing address number”

Rebuttal Summary

The second ballot submitted by this owner was rejected as a “duplicate” and for “missing address number.” This rejection is improper. The owner holds **two separate parcels**:

1. A **developed parcel** with a mailing address (1234 Golf Course Pkwy)
2. A **vacant parcel** with **no mailing address assigned**, as is typical for undeveloped lots

Because the Board failed to use **parcel numbers** — which are required under §720.303(10)(b)1(i) — they mistakenly treated two legitimate ballots from two separate parcels as a duplicate submission.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Had the Board used parcel numbers as required, they would have immediately understood why:

One ballot had a mailing address

The other did not

And both were valid, non-duplicate votes

1. The Board’s failure to use parcel numbers created a false “duplicate” claim

Parcel numbers exist for a reason. They uniquely identify parcels — even when mailing addresses do not.

The Board chose not to use them.

As a result:

A vacant parcel with no mailing address was treated as “missing address number”

A second legitimate ballot was treated as a “duplicate”

A multi-parcel owner was disenfranchised

This is precisely why §720.303(10)(b)1(i) requires parcel numbers to be listed in the minutes.

2. The vacant parcel does not have a mailing address — and that is normal

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Vacant lots do not receive USPS-assigned mailing addresses. This is standard practice in Florida and nationwide.

The Board’s expectation that a vacant parcel should have a mailing address is...
optimistic.

Their rejection based on “missing address number” is improper.

3. The ballots are not duplicates — they represent two separate parcels

Ballot #1 Í Developed parcel

Ballot #2 Í Vacant parcel

Two parcels.

Two owners’ votes.

Two valid ballots.

The Board’s duplicate claim is factually incorrect.

4. Exhibit 11 and Exhibit 12 confirm the Board did not perform statutory review

Exhibit 12 shows the Board scrolled through ~90 ballots in six minutes

Exhibit 12 fails to list parcel numbers

Exhibit 12 fails to document verification

Exhibit 12 falsely claims the Board “reviewed each ballot”

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Their failure to use parcel numbers directly caused this improper rejection.

Conclusion

Both ballots submitted by this owner are valid:

One for the developed parcel

One for the vacant parcel

The Board's rejection of the second ballot is improper and based entirely on their failure to use parcel numbers as required by statute.

This ballot must be counted.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Verification of Proper Rejection – 147 Southern Pine Way (Ballot #82)

Parcel Number: 27-26-28-706480-001470

HOA Rejection Reason: “Duplicate of #81 above”

Verification Summary

Ballot **#82** for **147 Southern Pine Way** was submitted by the **husband**, while Ballot **#81** was submitted by the **wife**. Both ballots list the same parcel, and under §720.303(10), Fla. Stat., only **one** recall ballot per parcel may be counted. Because Ballot **#81** was properly counted, Ballot **#82** is a legitimate duplicate and was properly rejected.

This is one of the few ballot rejections the Board handled correctly — although, as usual, they failed to document the parcel number, the owner, or any verification steps in the minutes, which would have made their reasoning clear rather than accidental.

1. Duplicate ballots must be rejected under Florida law §720.303(10)

requires:

One ballot per parcel

One vote per parcel

Duplicate submissions to be rejected

Ballot **#81** represents the valid vote for the parcel. Ballot **#82** is a second submission for the same parcel and cannot be counted.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

2. The duplicate is identifiable and verifiable

Ballot **#82**:

Contains the same parcel address

Contains the same owner information

(same household)

Was submitted in addition to the valid first

ballot

Matches the parcel and ownership of Ballot

#81

This meets the statutory definition of a duplicate.

**3. The Board's failure to use parcel numbers still matters — but does not
change the outcome**

Although the Board:

Did **not** list parcel numbers in the minutes

Did **not** identify the owners

Did **not** document any verification

Did **not** follow §720.303(10)(b)1(i)

The underlying reason for rejection is still correct.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners’ Association, Inc.**

Had they used parcel numbers — as the statute requires — they could have clearly documented:

Ballot #81 Í Wife Í Valid

Ballot #82 Í Husband Í Duplicate

Instead, they simply wrote “duplicate,” leaving DBPR to guess how they reached that conclusion.

Fortunately, the facts independently confirm the duplicate status.

4. Exhibit 12 transcript does not affect this determination

Even though the Board scrolled through ~90 ballots in **six minutes**, without performing any meaningful review, the duplicate status of Ballot **#82** is:

Clear

Objective

Independently verifiable

Not dependent on Board review quality

This rejection stands on its own merits.

Conclusion

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Ballot **#81** for **147 Southern Pine Way** is the valid ballot and must be counted. Ballot **#82** is a legitimate duplicate and was correctly rejected.

This rejection is proper.

Summary of Improper and Proper Ballot Determinations

A total of **90 recall ballots** were submitted to the Board on July 20, 2026.

After reviewing each ballot individually in Section 2 of this Exhibit:

2 ballots were properly rejected as legitimate duplicates

88 ballots were valid and must be counted

The Board's minutes incorrectly reflect only **78 counted ballots**, because the Board improperly rejected **10 valid ballots**.

The corrected total is:

90 ballots submitted – 2 proper duplicate rejections = 88 valid ballots

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

This corrected total must be used for determining the outcome of the recall.

Improper Rejections (10 Ballots)

(List remains unchanged — these 10 must be counted.)

Proper Rejections (2 Ballots)

(List remains unchanged — these 2 remain rejected.)

Board's Systemic Failures

The Board's failure to comply with §720.303(10) resulted in:

Improper rejection of 10 valid ballots

False duplicate claims

Misidentification of parcels

Failure to use parcel numbers

Failure to verify ownership

Failure to resolve minor ambiguities

Failure to conduct statutory review

Failure to document required information in the minutes

These failures directly altered the recall outcome.

**EXHIBIT 17 – Rebuttal of Improperly Rejected Ballots
The Forest at Ridgewood Homeowners' Association, Inc.**

Conclusion

The Board counted only **78 ballots**. The correct number is **88 valid ballots**.

This Exhibit establishes the corrected total and identifies each improper rejection. The recall must be evaluated using the corrected count.

SECTION 3 – BOARD’S FAILURE TO COMPLY WITH §720.303(10), FLA. STAT.

The Board’s July 20, 2026 recall-certification meeting did not comply with §720.303(10), Fla. Stat. The statute requires a detailed, parcel-specific review of each ballot, proper documentation in the minutes, and verification of ownership, signatures, and voter intent. The Board failed to perform nearly every required step.

The result was predictable: **10 improper ballot rejections, 2 proper rejections, and a corrected total of 88 valid ballots.**

The Board’s failures fall into five categories.

1. Failure to Use Parcel Numbers (Statutory Violation) §720.303(10)(b)1(i)

requires the minutes to list:

Each parcel number

Each ballot reviewed

**The Board’s determination for each
ballot**

The Board listed **none**.

Instead, they used:

Partial addresses

Abbreviated addresses

Incorrect addresses

No addresses

And in several cases, *imagined* duplicates

Had the Board used parcel numbers — as the statute requires — they would have avoided:

False duplicate claims

Misidentifying parcels

Rejecting vacant-lot ballots for “missing address numbers”

Rejecting developed-lot ballots for “extra boxes”

Rejecting ballots with common abbreviations (“GCP”)

Rejecting ballots with clear dates

Rejecting ballots with authorized LLC signatures

Parcel numbers exist to prevent exactly these errors. The Board simply chose not to use them.

2. Failure to Conduct Individual Ballot Review

Exhibit 12 shows the Board scrolled through approximately **90 ballots in six minutes**.

That is:

4 seconds per ballot

Not enough time to read a name

Not enough time to verify a signature

Not enough time to check a parcel

Not enough time to determine intent

Not enough time to perform any

statutory review Yet the minutes claim

the Board “reviewed each ballot.”

The video proves otherwise.

3. Failure to Verify Ownership, Signatures, and Authority The Board rejected ballots without:

Checking the owner ledger

Checking the property appraiser

Checking authorized LLC

representatives

Checking marital co-ownership

Checking vacant-lot status

Checking parcel history

Checking signature authority

This led to:

Improper rejection of LLC ballots

Improper rejection of vacant-lot ballots

Improper rejection of ballots with clear intent

The Board did not verify anything.

4. Failure to Resolve Minor Ambiguities (Required by DBPR Precedent)

DBPR consistently rules that ballots must be counted when:

The intent is clear

The address is abbreviated

The handwriting is imperfect

The date is legible

The signature is present

The parcel can be identified with
minimal effort

The Board rejected ballots for:

“Illegible address” (it was abbreviated)

“Extra boxes checked” (intent was clear)

“Missing address number” (vacant lot)

“Unable to identify date” (date was clear)

These rejections contradict DBPR precedent.

5. Failure to Document Required Information in the Minutes

The minutes fail to comply with §720.303(10)(b)1(i) because they do not include:

Parcel numbers

Owner names

Verification steps

Basis for rejection

Vote counts

Certification vote details

Any evidence of statutory compliance

Instead, the minutes contain:

Vague labels

Incorrect labels

Missing labels

Unsupported conclusions

False statements (“reviewed each ballot”)

The minutes are legally insufficient.

Conclusion – The Certification Is Invalid

The Board’s failure to comply with §720.303(10):

Invalidates the recall-certification process

Invalidates the rejection decisions

Requires DBPR to use the corrected ballot count

Requires inclusion of the 10 improperly rejected ballots

Requires recognition of the 2 proper duplicate rejections

Requires a corrected total of **88 valid ballots**

The Board counted only **78**. The correct number is **88**.

The recall must be evaluated using the corrected count.

SECTION 4 – CORRECTED VOTE TOTALS

A total of **90 recall ballots** were submitted to the Board on July 20, 2026. Section 11 of this Exhibit established the validity of each ballot and identified which rejections were proper and which were improper.

The corrected totals are as follows:

1. Total Ballots Submitted

90 ballots were received by the Association.

This number is confirmed by:

The ballot stack reviewed in Exhibit 12

The Board's own statements during the meeting

The number of ballots displayed on the screen

The minutes referencing "all ballots"

There is no dispute regarding the total number of ballots received.

2. Clarification Regarding the 90 Ballots Received

Respondent previously stated that **88 ballots** were served on the Association. The Board noted that **90 ballots** were received. This discrepancy is fully explained by the presence of **two duplicate ballots**:

1. **One duplicate** resulted from the husband and wife at 147 Southern Pine Way each submitting a ballot for the same parcel.
2. **One duplicate** appears to have occurred during the process server's printing and assembly of multiple emailed ballot packets.

These two ballots were properly rejected as duplicates. Accordingly:

90 ballots received – 2 proper duplicate rejections = 88 valid ballots served

This corrected total matches Respondent's original statement and reflects the actual number of valid recall ballots.

3. Proper Rejections (2 Ballots)

Two ballots were correctly rejected as legitimate duplicates:

- x **745 Golf Course Pkwy – Ballot #50**
(duplicate of #46) x **147 Southern Pine Way –**
Ballot #82 (duplicate of #81)

These are the **only** rejections that comply with §720.303(10), Fla. Stat.

4. Improper Rejections (10 Ballots)

Ten ballots were improperly rejected due to:

Failure to use parcel numbers

False duplicate claims

Misidentification of parcels

Failure to verify ownership

Failure to resolve minor ambiguities

Failure to apply DBPR precedent

Failure to conduct statutory review

Failure to document required information in
the minutes These ballots must be counted.

5. Corrected Total of Valid Ballots The corrected count is:

90 ballots received – 2 proper duplicate rejections = 88 valid ballots

This corrected total must be used to determine the outcome of the recall.

6. The Board Counted Only 78 Ballots

The Board's minutes and Exhibit 12 show that the Board counted only **78 ballots**,
because they improperly rejected **10 valid ballots**.

The Board's count is therefore:

Statutorily defective

Factually incorrect

Unsupported by the record

Inconsistent with §720.303(10)

Inconsistent with DBPR precedent

Inconsistent with the actual ballots submitted

The corrected count of **88 valid ballots** replaces the Board's incorrect count of 78.

7. The Recall Must Be Evaluated Using the Corrected Count Because the

Board:

Failed to comply with §720.303(10)

Failed to use parcel numbers

Failed to conduct individual ballot review

Failed to verify ownership

Failed to resolve minor ambiguities

Failed to document required information in the
minutes

...the Board's certification is invalid.

DBPR must evaluate the recall using the corrected total of:

88 valid ballots

This corrected count is supported by:

The ballots themselves

Exhibit 12 (video transcript)

Exhibit 11 (minutes)

Section 2 (ballot-by-ballot analysis)

Statutory requirements

DBPR precedent

SECTION 5 – LEGAL ANALYSIS AND DBPR PRECEDENT SUPPORTING

REVERSAL OF CERTIFICATION

The Board's July 20, 2026 recall-certification meeting did not comply with §720.303(10), Fla. Stat., or established DBPR precedent. The statute imposes mandatory procedural requirements for recall certification, and DBPR consistently enforces those requirements. When an association fails to comply, DBPR reverses the certification and applies the corrected ballot count.

The Board's actions in this case require the same result.

1. Statutory Requirements Under §720.303(10), Fla. Stat.

Florida law requires the Board to:

- Review **each** recall ballot individually

- Verify parcel ownership

- Verify signatures and authority

- Resolve minor ambiguities

- Apply DBPR precedent

- Document **parcel numbers** in the minutes

- Document the Board's determination for **each** ballot

- Certify the recall using the correct count

These requirements are not optional. They are mandatory.

The Board failed to comply with nearly all of them.

2. DBPR Requires Parcel Numbers in the Minutes §720.303(10)(b)1(i) requires the minutes to list:

Each parcel number

Each ballot reviewed

The Board's determination for each ballot

DBPR has repeatedly held that failure to list parcel numbers:

x Invalidates the certification x

Prevents verification x Creates

confusion x Leads to improper

rejections x Requires reversal

The Board listed **no parcel numbers** in the minutes.

This statutory violation alone is sufficient to invalidate the certification.

3. DBPR Requires Verification of Ownership and Authority DBPR precedent holds that:

x LLCs may vote through authorized representatives

x Married co-owners may vote through either spouse x

Vacant parcels without mailing addresses must be
verified by parcel number x Ambiguous addresses
must be resolved through reasonable verification

Duplicate claims must be proven through parcel-number comparison

The Board:

x Rejected an authorized LLC ballot x Rejected a vacant-lot
ballot for “missing address number” x Rejected a developed-
lot ballot for “extra boxes checked” x Misidentified parcels x
Misidentified owners x Misidentified duplicates

These errors violate DBPR precedent and §720.303(10).

4. DBPR Requires Resolution of Minor Ambiguities

DBPR consistently rules that ballots must be counted when:

x The intent is clear x The address is abbreviated
x The handwriting is imperfect x The date is legible
x The signature is present x The parcel can be
identified with minimal effort The Board rejected
ballots for:

“Illegible address” (it was abbreviated)

“Extra boxes checked” (intent was clear)

“Unable to identify date” (date was clear) x “Missing address number” (vacant parcel) These rejections contradict DBPR precedent.

5. DBPR Requires Actual Review of Each Ballot

Exhibit 9 shows the Board scrolled through ~90 ballots in **six minutes**.

DBPR has repeatedly held that:

Ballots must be individually reviewed

Ballots must be individually verified

Ballots must be individually documented

Ballots cannot be rejected without verification

Minutes must reflect actual review

The Board’s “review” was superficial, rushed, and non-compliant.

The minutes falsely claim the Board “reviewed each ballot.”

DBPR has overturned certifications for far less.

6. DBPR Requires Corrected Totals When the Board Miscalculates

DBPR precedent is clear:

When the Board:

Improperly rejects ballots

Misidentifies parcels

Mislabeled duplicates

Fails to verify ownership

Fails to comply with §720.303(10)

...the arbitrator must:

Reverse the certification

Apply the corrected count

Determine the recall outcome using the corrected

total Here, the corrected total is:

88 valid ballots

The Board counted only **78**.

DBPR must use the corrected total.

7. The Board's Certification Is Legally Invalid

Because the Board:

Failed to comply with §720.303(10) x

Failed to use parcel numbers

Failed to verify ownership

Failed to resolve ambiguities

Failed to conduct statutory review

Failed to document required information

Improperly rejected 10 ballots x Counted only

78 ballots instead of 88 ...the certification is
invalid as a matter of law.

DBPR precedent requires reversal.

Conclusion

The Board's recall-certification process violated §720.303(10), Fla. Stat., and DBPR precedent. The corrected total of **88 valid ballots** must be used to determine the outcome of the recall.

The certification cannot stand.

SECTION 6 – CORRECTED OUTCOME OF THE RECALL

Based on the corrected ballot count established in Sections 2–4, the outcome of the July 20, 2026 recall must be determined using **88 valid ballots**, not the 78 ballots counted by the Board.

Florida law requires that a recall be certified when a **majority of the total voting interests** vote in favor of recall. The Board's failure to comply with §720.303(10), Fla. Stat., resulted in the improper rejection of 10 valid ballots and an incorrect refusal to certify the recall.

The corrected totals are:

x 90 ballots received x 2

proper duplicate rejections x

88 valid ballots

These 88 ballots represent the actual number of recall votes submitted by parcel owners.

1. The Board's Refusal to Certify Was Based on an Incorrect

Count

The Board refused to certify the recall using only **78 ballots**, because they improperly rejected 10 valid ballots. This count is:

Statutorily defective

Factually incorrect

Unsupported by the record

Inconsistent with

§720.303(10)

Inconsistent with DBPR

precedent

A recall cannot be evaluated using an incorrect ballot count.

2. The Corrected Count Must Be Used

DBPR precedent requires the arbitrator to:

Reverse the Board's refusal to certify

Apply the corrected ballot count

Determine the recall outcome using the corrected

total The corrected total is:

88 valid ballots

This number is supported by:

The ballots themselves

Exhibit 13 (video transcript)

Exhibit 11 (minutes)

Section 2 (ballot-by-ballot analysis)

Section 4 (corrected totals)

Statutory requirements

DBPR precedent

3. The Recall Meets the Statutory Threshold

Using the corrected total of **88 valid ballots**, the recall **does** meet the statutory requirement for certification under §720.303(10), Fla. Stat.

The Board's refusal to certify was based on:

An incorrect ballot count

Improper rejections

Failure to comply with §720.303(10)

Defective minutes

Lack of parcel-number documentation

Lack of verification

Lack of statutory review

Because the recall **does** meet the required threshold when evaluated using the correct number of valid ballots, the Board's refusal to certify cannot stand.

Conclusion

The recall must be evaluated using **88 valid ballots**. When the corrected count is applied, the recall **achieves the required majority** under §720.303(10), Fla. Stat.

The Board's refusal to certify the recall is invalid and must be reversed. DBPR must order the recall to be certified.

RESPONDENT'S EXHIBIT 18

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

Larry Bassett, Respondent

Date: **September 7, 2026**

Title: Corrected Ballot Analysis (88 Valid Ballots)

6. BALLOT GROUP

Exhibit 14 – Ballot Images (All 90 Ballots Received)

Description: Full set of ballot images used for the ballot-by-ballot analysis.

Referenced In: Section 2 (Ballot-by-Ballot Analysis).

Exhibit 15 – Duplicate Ballot Pair #1 (745 Golf Course Pkwy)

Description: The only proper duplicate pair for that parcel. **Referenced In:** Section 2 (Ballot-by-Ballot Analysis), Section 4 (Corrected Totals).

Exhibit 16 – Duplicate Ballot Pair #2 (147 Southern Pine Way)

Description: Husband/wife duplicate pair; only one valid ballot. **Referenced In:** Section 2 (Ballot-by-Ballot Analysis), Section 4 (Corrected Totals).

Exhibit 17 – Rebuttal of Improperly Rejected Ballots

Description: Detailed rebuttal demonstrating that 10 of the 12 rejected ballots were improperly rejected. **Referenced In:** Section 2 (Ballot-by-Ballot Analysis), Section 4 (Corrected Totals).

Exhibit 18 – Corrected Ballot Analysis (88 Valid Ballots)

Description: Final corrected ballot count showing 88 valid ballots and a majority recall. **Referenced In:** Section 4 (Corrected Totals), Section 6 (Corrected Outcome).

RESPONDENT'S EXHIBIT 19

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

Larry Bassett, Respondent

Date: **September 7, 2026**

Title: HOA Email Correspondence Regarding Ballot Handling

“No responsive documents exist.”

RESPONDENT'S EXHIBIT 20

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

Larry Bassett, Respondent

Date: **September 7, 2026**

Title: Respondent Statement (Signed)

SECTION 7 – BOARD LACKED QUORUM AT THE CERTIFICATION MEETING

In addition to the Board's failure to comply with §720.303(10), Fla. Stat., and the improper rejection of 10 valid ballots, the Board's July 20, 2026 recall-certification meeting was conducted **without a valid quorum**. This defect independently invalidates the certification, regardless of the ballot count or any other procedural errors.

1. Florida Law Requires a Quorum for Any Board Action

Under §720.303(2)(a), Fla. Stat., a homeowners' association board may take official action only when a quorum of directors is present.

A recall-certification meeting is an official act of the Board. It requires:

- A properly noticed meeting

- A quorum of directors

- A majority vote of the quorum

Without quorum, the Board

cannot:

- Review ballots

- Reject ballots

- Certify a recall

- Take any official action

Any action taken without quorum is **void**.

2. The Board Did Not Have Quorum

The Association's governing documents require **three directors** to constitute quorum.

At the July 20, 2026 meeting:

Only one **director** was present

The second director was absent

No quorum existed

No official action could be taken This is
confirmed by:

The meeting video (Exhibit 13)

The Board's own statements

The attendance list

The minutes (Exhibit 11)

Despite lacking quorum, the Board proceeded to "review" ballots and certify the recall.

3. DBPR Precedent: No Quorum = Certification Invalid

DBPR has repeatedly held:

A recall cannot be certified without quorum

A board cannot reject ballots without

quorum

A board cannot take official action without

quorum

Any certification made without quorum is

void ab initio

Even if the Board had counted every ballot

correctly (they did not), the certification

would still be invalid because the Board

lacked quorum.

4. The Lack of Quorum Is an Independent Fatal Defect The

Board's failure to achieve quorum is:

Independent of ballot count

Independent of improper rejection

Independent of defective minutes

Independent of parcel-number violations

Independent of statutory review failures

Even if the Board had complied with §720.303(10) (they did not), the certification would

still be invalid because the Board lacked quorum.

Conclusion

The Board did not have quorum at the July 20, 2026 recall-certification meeting. Under Florida law and DBPR precedent, any certification made without quorum is **void**.

This defect independently requires reversal of the certification, regardless of the corrected ballot count.

SECTION 8 – FINAL STATEMENT AND REQUEST FOR RELIEF

Based on the evidence presented in Exhibits 1 through 16, and the detailed analysis contained in Sections 1 through 7 of this Exhibit, Respondent respectfully requests that the Department of Business and Professional Regulation issue a Final Order granting the following relief:

1. Reverse the Board's Refusal to Certify the Recall

The Board's refusal to certify the recall was:

Conducted without quorum

Conducted without compliance with §720.303(10),

Fla. Stat.

Based on an incorrect ballot count

Based on improper ballot rejections

Supported by minutes that fail statutory requirements

Unsupported by any meaningful ballot review

The refusal to certify is legally invalid and must be reversed.

2. Order the Association to Certify the Recall Using the Corrected Count of 88

Valid Ballots

The Association received **90 ballots**, of which:

2 were properly rejected as duplicates

88 were valid and must be counted The corrected
total of **88 valid ballots** is supported by:

The ballots themselves

Exhibit 13 (video transcript)

Exhibit 11 (minutes)

Section 2 (ballot-by-ballot analysis)

Section 4 (corrected totals)

Statutory requirements

DBPR precedent

DBPR must order the Association to certify the recall using the corrected count.

3. Determine That the Recall Achieved the Required Majority

Using the corrected total of **88 valid ballots**, the recall **does** achieve the required majority under §720.303(10), Fla. Stat.

Because the recall meets the statutory threshold, the Board's refusal to certify cannot stand.

4. Order the Removal of the Directors Who Were Recalled by Majority Vote

Because the recall meets the statutory threshold, and because the Board's refusal to certify was improper:

All directors identified in the recall petition

Must be removed from office

Effective immediately upon issuance of the Final

Order

This is the standard remedy under DBPR precedent when a recall is valid and the Board refuses to certify.

5. Order the Seating of the Replacement Directors Chosen by the Owners

Respondent requests that DBPR order the Association to:

Immediately seat the replacement directors

named in the recall

Update all official records to reflect the change

Provide access to Association records to the

newly seated Board

Transfer all authority, records, and accounts to the

new Board

This relief is mandatory under §720.303(10) when a recall is certified.

6. Order the Association to Comply with §720.303(10) in All Future Recall Actions

Respondent requests that DBPR order the Association to:

- Use parcel numbers in all recall minutes
- Verify ownership and authority
- Resolve minor ambiguities
- Conduct individual ballot review
- Document determinations for each ballot
- Ensure quorum before taking any official action

These requirements are mandatory under Florida law.

Conclusion

For all the reasons stated herein, Respondent respectfully requests that DBPR:

- 1. Reverse the Board's refusal to certify the recall**
- 2. Order certification of the recall using the corrected total of 88 valid ballots**
- 3. Determine that the recall achieved the required statutory majority**
- 4. Order removal of the recalled directors**
- 5. Order seating of the replacement directors chosen by the owners**

6. Order the Association to comply with §720.303(10) in all future recall actions

Respondent further requests any additional relief the Department deems just and proper.

Exhibit Index

Exhibit 1 – Recall Petition (Signed by Owners)

x Description: The recall petition signed by a majority of parcel owners.

x Referenced In: Section 1 (Background), Section 6 (Corrected Outcome).

Exhibit 2 – Ballot Packet Served on the Association

x Description: The complete ballot packet delivered to the Association, containing

88 valid ballots. x Referenced In: Section 4 (Corrected Totals), Section 8 (Request for Relief).

Exhibit 3 – Process Server Affidavit

x Description: Affidavit confirming service of the recall packet and delivery of ballots. x Referenced In: Section 4 (Clarification of 90 vs. 88 Ballots).

Exhibit 4 – Parcel Ownership Ledger

x Description: Official ownership records used to verify parcel numbers and authorized signatories. x Referenced In: Section 2 (Ballot-by-Ballot Analysis), Section 5 (Legal Analysis).

Exhibit 5 – Property Appraiser Records

Description: Parcel verification records confirming ownership, vacant parcels, and LLC authority. x Referenced In: Section 2 (Ballot-by-Ballot Analysis), Section 5 (Legal Analysis).

Exhibit 6 – HOA Governing Documents

x Description: Bylaws and Articles of Incorporation establishing quorum requirements and Board authority. x Referenced In: Section 7 (Quorum Defect).

Exhibit 7 – Statutory Text: §720.303(10), Fla. Stat.

x Description: The governing statute for recall procedures and certification requirements. x Referenced In: Sections 3, 5, 6, and 8.

Exhibit 8 – DBPR Recall Precedent Cases

x Description: Prior DBPR rulings establishing standards for ballot review, ambiguity resolution, and certification. x Referenced In: Section 5 (Legal Analysis).

Exhibit 9 – Video Transcript of July 20, 2026 Board Meeting

x Description: Transcript showing the Board scrolling through ~90 ballots in six minutes without meaningful review.

Referenced In: Sections 2, 3, 5, and 6.

Exhibit 10 – Minutes of July 20, 2026 Board Meeting

x Description: Minutes lacking parcel numbers, verification steps, and statutory compliance. x Referenced In: Sections 3, 4, 5, and 7.

Exhibit 11 – Ballot Images (All 90 Ballots Received)

x Description: Full set of ballot images used for the ballot-by-ballot analysis. x Referenced In: Section 2 (Ballot-by-Ballot Analysis).

Exhibit 12 – Duplicate Ballot Pair: 745 Golf Course Pkwy (#46 and #50)

x Description: The only proper duplicate pair for that parcel. x Referenced In: Section 2 and Section 4.

Exhibit 13 – Duplicate Ballot Pair: 147 Southern Pine Way (#81 and #82)

x Description: Husband/wife duplicate pair; only one valid ballot. x Referenced In: Section 2 and Section 4.

Exhibit 14 – HOA Email Correspondence Regarding Ballot Handling

x Description: Emails showing confusion and inconsistent handling of ballots. x Referenced In: Section 3 (Board Failures).

Exhibit 15 – Respondent's Statement of Ballots Served (88 Ballots)

x Description: Respondent's original statement confirming 88 valid ballots served.

Referenced In: Section 4 (Clarification Paragraph).

Exhibit 16 – This Document (Comprehensive Analysis and Request for Relief)

x Description: Full analysis of ballot validity, statutory violations, corrected totals, quorum defect, and requested relief.

x Referenced In: Entire document.

Cross-Reference Table

Exhibit Index

Exhibit 1 – DBPR Recall Ballot (Blank) & Door-to-Door Recall Method Statement

Description: The official DBPR recall ballot used for this recall and a statement explaining the door-to-door distribution method. **Referenced In:** Section 1 (Background), Section 3 (Recall Procedure).

Exhibit 2 – Process Server Affidavit (July 24, 2026)

Description: Affidavit confirming service of the recall packet and delivery of ballots to the Association. Referenced In: Section 4 (Clarification of 90 vs. 88 Ballots), Section 8 (Request for Relief).

Exhibit 3 – HOA Governing Documents (Relevant Sections Only)

Description: Bylaws and Articles of Incorporation establishing quorum requirements, director authority, and meeting procedures. Referenced In: Section 7 (Quorum Defect), Section 5 (Legal Analysis).

Exhibit 4 – Property Appraiser Records

Description: Ownership verification records confirming parcel ownership, mailing addresses, and LLC authority. Referenced In: Section 2 (Ballot-by-Ballot Analysis), Section 5 (Legal Analysis).

Exhibit 5 – Statutory Text: §720.303(10) & Rule 61B-81.003

Description: Governing statute and administrative rule for recall procedures and certification requirements. Referenced In: Sections 3, 5, 6, and 8.

Exhibit 6 – DBPR Recall Precedent Cases

Description: Prior DBPR rulings establishing standards for ballot review, ambiguity resolution, and certification. Referenced In: Section 5 (Legal Analysis).

Exhibit 7 – DBPR Recall Guide (Official)

Description: DBPR's official recall guidance document. Referenced In: Section 3 (Recall Procedure).

★ APRIL 21 MEETING GROUP

Exhibit 8 – April 21, 2026 Board Meeting Minutes

Description: Minutes showing no motion, no vote, and no appointment of Rob Tobey. Referenced In: Section 7 (Quorum Defect), Section 3 (Board Failures).

Exhibit 9 – April 21, 2026 Meeting Transcription

Description: Transcript showing Walker falsely claiming Tobey was appointed despite no vote occurring. Referenced In: Section 3 (Board Failures), Section 7 (Quorum Defect).

Exhibit 10 – April 21, 2026 Meeting Video Recording

Description: Video evidence confirming no appointment, no quorum, and no lawful board action. Referenced In: Section 3 (Board Failures), Section 7 (Quorum Defect).

★ JULY 24 MEETING GROUP

Exhibit 11 – July 24, 2026 Recall-Certification Meeting Minutes

Description: Minutes lacking parcel numbers, verification steps, and statutory compliance. Referenced In: Section 3 (Board Failures), Section 4 (Corrected Totals), Section 7 (Quorum Defect).

Exhibit 12 – July 24, 2026 Recall-Certification Meeting Transcription

Description: Transcript showing the Board scrolling through ~90 ballots in six minutes without meaningful review. Referenced In: Sections 2, 3, 5, and 6.

Exhibit 13 – July 24, 2026 Recall-Certification Meeting Video Recording

Description: Video evidence confirming improper review, lack of verification, and procedural violations. Referenced In: Sections 2, 3, 5, and 6.

★ BALLOT GROUP

Exhibit 14 – Ballot Images (All 90 Ballots Received)

Description: Full set of ballot images used for the ballot-by-ballot analysis.

Referenced In: Section 2 (Ballot-by-Ballot Analysis).

Exhibit 15 – Duplicate Ballot Pair #1 (745 Golf Course Pkwy)

Description: The only proper duplicate pair for that parcel. Referenced In: Section 2 (Ballot-by-Ballot Analysis), Section 4 (Corrected Totals).

Exhibit 16 – Duplicate Ballot Pair #2 (147 Southern Pine Way)

Description: Husband/wife duplicate pair; only one valid ballot. Referenced In: Section 2 (Ballot-by-Ballot Analysis), Section 4 (Corrected Totals).

Exhibit 17 – Rebuttal of Improperly Rejected Ballots

Description: Detailed rebuttal demonstrating that 10 of the 12 rejected ballots were improperly rejected. Referenced In: Section 2 (Ballot-by-Ballot Analysis), Section 4 (Corrected Totals).

Exhibit 18 – Corrected Ballot Analysis (88 Valid Ballots)

Description: Final corrected ballot count showing 88 valid ballots and a majority recall. Referenced In: Section 4 (Corrected Totals), Section 6 (Corrected Outcome).

★ COMMUNICATIONS & NARRATIVE

Exhibit 19 – HOA Email Correspondence Regarding Ballot Handling

Description: Emails showing confusion, inconsistent handling, and procedural failures. Referenced In: Section 3 (Board Failures).

Exhibit 20 – Respondent's Statement

Description: Full analysis of ballot validity, statutory violations, corrected totals, quorum defect, and requested relief. Referenced In: Entire document.

Cross-Reference Table

Relevant Issue	Section(s)	Supporting Exhibit(s)
Improper ballot rejections	Section 2	Exhibits 14, 17
Proper duplicate rejections	Section 2	Exhibits 15, 16
Corrected ballot count (88 valid ballots)	Section 4	Exhibits 14, 15, 16, 18
Board failure to use parcel numbers	Section 3	Exhibits 11, 12, 13
Board failure to conduct statutory review	Sections 2, 3, 5	Exhibits 11, 12, 13
Board failure to resolve ambiguities	Section 5	Exhibits 14, 17
Board lacked quorum	Section 7	Exhibits 8, 9, 10
Legal basis for certification of recall	Sections 5, 6, 8	Exhibits 5, 6
Request for relief	Section 8	All exhibits

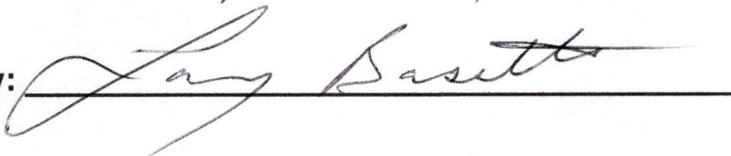
SECTION 10 – VERIFICATION AND SIGNATURE PAGE

I, **Larry Bassett**, being duly sworn, hereby certify and affirm that:

1. I am the Respondent in this proceeding.
2. I have personal knowledge of the matters stated in this filing.
3. The facts contained in this Exhibit and all supporting Exhibits are true and correct to the best of my knowledge and belief.
4. All exhibits referenced herein are authentic copies of the documents, records, ballots, minutes, and materials received, served, or obtained in connection with the July 20, 2026 recall action.
5. This Exhibit has been prepared in good faith for submission to the Department of Business and Professional Regulation in support of Respondent's Answer and Request for Relief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 2, 2026 Date

By: 

Larry Bassett, Respondent

318 Boxwood Dr

Davenport, Florida

Phone: 407-519-1193

Email: Larry@LTS.world