



Department of
BUSINESS AND PROFESSIONAL REGULATION

RON DESANTIS, GOVERNOR



MELANIE S. GRIFFIN, SECRETARY

10/25/2024

Via Email Address

Mr. Shawn Martin
1760 NW 73 Ave
Plantation, Florida 33313

RE: Case No. 2024019952 Omega Villas Condo Association, Inc.

Dear Mr. Martin:

The Division of Florida Condominiums, Timeshares, and Mobile Homes of the Florida Department of Business and Professional Regulation received the complaint you submitted against your condominium association. The Division has thoroughly reviewed the complaint you submitted along with all accompanying documentation. Based upon an evaluation of the alleged statutory violation and the submitted documentation, the Division has determined that it will proceed by conducting an investigation specifically regarding potential violations of:

1. It is alleged that the Association failed to timely provide the second notice of election
2. It is alleged that the Association failed to include all timely submitted names of eligible candidates on ballot.
3. It is alleged that the Association failed to provide space for name, unit number, or signature on outer envelope.
4. It is alleged that the Association failed to follow nomination procedures in election.

The allegations from your complaint that are not listed above will not be addressed due to there being no jurisdiction, no violation found or no documentation to support the allegation.

With regard to the above-listed allegations, the Division will conduct an investigation. As the Complainant, here is what you can expect during the course of the Division's investigation:

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1.	<input checked="" type="checkbox"/>	Once the complaint is assigned to an investigator, the investigator will contact you within 7 days from the date of receipt.
2.	<input checked="" type="checkbox"/>	The investigator will thoroughly review all documentation and materials submitted with the complaint.
3.	<input checked="" type="checkbox"/>	The investigator will contact you within 30 days from that date. During this contact, please note that in an abundance of caution, the investigator will provide only generalized updates as the investigation is open and ongoing.
4.	<input checked="" type="checkbox"/>	The investigator will then contact the association for a response to the allegations via the issuance of an allegation letter.
5.	<input checked="" type="checkbox"/>	The investigator will contact you again within 60 days from the date of receipt of the case and every 30 days thereafter until the case is sent to the Office of General Counsel. Again, please note that during this contact, in an abundance of caution, the investigator will provide only generalized updates as the investigation remains open and ongoing.
6.	<input checked="" type="checkbox"/>	The investigator will continue to gather documentation and review evidence while the case remains in the investigation phase.
7.	<input checked="" type="checkbox"/>	The investigator will contact you again within 90 days from the date of receipt of the case and every 30 days thereafter until the case is sent to the Office of General Counsel. Again, please note that during this contact, in an abundance of caution, the investigator will provide only generalized updates as the investigation remains open and ongoing.
8.	<input checked="" type="checkbox"/>	The investigator will prepare the investigative report for routing to the Office of General Counsel for resolution.
9.	<input type="checkbox"/>	The investigator will refer the case to the Office of General Counsel for resolution.

The Division has also included a brief Did You Know checklist to aid in your understanding of the Division's investigatory process.

**DID YOU
KNOW?**



- ✓ That upon submission of a complaint against an association to the Division, the matter then becomes the Division's case?
 - ☐ At that juncture, the Division has the discretion to thoroughly evaluate a complaint to determine if an investigation will occur.
 - ☐ The only parties to the case, if the Division decides to open an investigation, are the **Division** and the **association**.



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- ☐ However, the Division may require testimony from a Complainant if the case proceeds to an administrative hearing.
- ✓ That the Division has four areas of jurisdiction with regard to condominium associations governed by unit owner for which the Legislature has designated it can investigate?
 - ☐ Those areas are financial issues, elections, access to and maintenance of official records.

We hope that you find this information instructive and useful in your understanding of what to expect from the Division during the course of the Division's investigation regarding the alleged violations. Thank you.

Sincerely,
Bureau of Compliance

A handwritten signature in blue ink that reads "Richard M. Otway".

Richard Otway
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