

Shawn Martin <sem2000s@gmail.com>

Subject: Systemic Failure in Florida HOA Oversight – DBPR Confirms No Accountability in Omega Villas Case Date: May 21, 2025

Shawn Martin <sem2000s@gmail.com>

Fri, May 23, 2025 at 6:52 PM

To: Melanie <Melanie.Griffin@myfloridalicense.com>, General Counsel <DBPR.GeneralCounsel@myfloridalicense.com>, Matthew <Matthew.Collier@myfloridalicense.com>, OIG <OIG@myfloridalicense.com>, Richard <Richard.Otway@myfloridalicense.com>, usafls.citizens@usdoi.gov, public.integrity@usdoj.gov, inspectorgeneral@eog.myflorida.com, crt@usdoj.gov, oig.doj@usdoj.gov, oag.civilrights@myfloridalegal.com, citizenservices@myfloridalegal.com, "Press@MyFloridaLegal.com" < Press@myfloridalegal.com>, AskUs@sa17.state.fl.us, "ACAP@Floridabar.org" <ACAP@floridabar.org>, Tina Polsky <POLSKY.TINA@flsenate.gov>, Office of Senator Sharief <sharief.barbara.web@flsenate.gov>. marie.woodson@myfloridahouse.gov, pizzo.jason@flsenate.gov, christine.hunschofsky@myfloridahouse.gov, lisa.dunkley@myfloridahouse.gov, daryl.campbell@myfloridahouse.gov, boyd.jim.web@flsenate.gov, osgood.rosalind.web@flsenate.gov, jones.shevrin.web@flsenate.gov, calatayud.alexis.web@flsenate.gov, bradley.jennifer.web@flsenate.gov, stewart.linda.web@flsenate.gov, rodriguez.anamaria.web@flsenate.gov, tiffany.esposito@myfloridahouse.gov, juan.porras@myfloridahouse.gov, jennifer.canady@myfloridahouse.gov, joel.rudman@myfloridahouse.gov, carolina.amesty@myfloridahouse.gov, daniel.perez@myfloridahouse.gov, wyman.duggan@myfloridahouse.gov, chip.lamarca@myfloridahouse.gov, askcityhall@plantation.org, "IA@psd.plantation.org" <IA@psd.plantation.org>, "WDorr@psd.plantation.org" <WDorr@psd.plantation.org>, sao17@sao17.state.fl.us, Connie Fossi <connie.fossi@nbcuni.com>, tips@cnn.com, viewermail@newshour.org, press.office@theguardian.com, reporters@miamiherald.com, msnbctvinfo@nbcuni.com, investigates@cbsnews.com, news.tips@abc.com, newstips@cbsnews.com, cnn.tips@cnn.com, newstips@sunsentinel.com, info@pogo.org, action@aclu.org, press@whistlebloweraid.org, info@whistleblowers.org, info@flcga.org, tips@levernews.com, info@floridabulldog.org, tips@theappeal.org, grassroots@commoncause.org, tips@publicintegrity.org, info@openthegovernment.org, Patrick@pk80.com, txhoareform@gmail.com, info@whistleblower.org, info@thesignalsnetwork.org, contact@consumerwatchdog.org, info@bettergov.org, info@freedom.press Cc: "Collier, Matthew" < Matthew. Collier@myfloridalicense.com>, "MacKinnon, Rodney. Godney. MacKinnon@myfloridalicense.com>

Subject: Systemic Failure in Florida HOA Oversight – DBPR Confirms No Accountability in Omega Villas Case Date: May 21, 2025

Dear Officials, Investigators, and Oversight Organizations,

I am writing to inform you of a deeply troubling confirmation I received today from the Office of the Inspector General at the Florida Department of Business and Professional Regulation (DBPR) regarding the Omega Villas Condominium Association—a community now at the center of documented construction defects, financial misconduct, and retaliation against owners.

Today, Rodney J. MacKinnon, Inspector General of DBPR, confirmed in writing that his office has no investigative authority over construction, permitting, or renovation work at our condominium, and that he also cannot intervene in DBPR's decisions to investigate or not investigate filed complaints. His full email is quoted below for the record.

This is now one of several written acknowledgments from Florida agencies that **no single authority appears to take responsibility** for enforcing laws governing HOA financial practices, construction safety, or protection from Board-level retaliation. The State of Florida appears to have created a legal environment in which **residents are fully exposed—but completely unprotected**—from corruption, negligence, and abuse inside their own HOA-governed communities.

Meanwhile, my case and related complaints have been:

- Deferred to the same DBPR Division that previously failed to act
- Ignored by local permitting officials even after documented code violations
- Stonewalled by municipal police and code enforcement despite repeated, video-supported incidents
- Referred back and forth among agencies in a bureaucratic loop with no outcome

Additionally, law enforcement has failed to intervene in multiple documented incidents where off-duty police officers—hired by the HOA—were used to intimidate owners and disrupt lawful public meetings. Despite formal complaints and video evidence submitted to the Plantation Police Department and its Internal Affairs Division, no officer has been held accountable, and no protective action has been taken to prevent further misuse of law enforcement presence by the Board.

This further underscores the systemic breakdown of protections for residents facing retaliation and misconduct in their own communities.

Despite \$7 million in taxpayer funds allocated last year for HOA reform, these failures persist unchecked. There is no transparency, no coordinated enforcement mechanism, and no measurable accountability for HOA Boards, licensed vendors, or property managers operating under Chapter 718.

I intend to **escalate this matter to the next level by early next week**. I have exhausted state-level remedies in good faith, and it is now clear that this is not simply a matter of local misconduct—it is a **statewide systemic failure**.

Furthermore, banks, insurers, and secondary mortgage market institutions with interests in Omega Villas should be aware that their investments face multiple layers of risk:

- Construction defect risk
- Corruption and political risk
- Enforcement failure risk—due to the inability or unwillingness of state agencies to act

For reference, below is the email I received today from DBPR Inspector General Rodney J. MacKinnon:

From: MacKinnon, Rodney Rodney.MacKinnon@myfloridalicense.com

Sent: May 21, 2025 **To:** Mr. Shawn Martin

Good afternoon Mr. Martin.

The issues you are complaining [about] are outside the jurisdiction of my office. I have no investigative authority over any construction or renovation work at your condominium or the permitting process. I also have no authority to overturn a decision of DBPR to investigate, to not investigate, to prosecute, or not to prosecute your complaint. As previously noted, we have referred your case to the DBPR's Division of Condominiums, Timeshares, and Mobile Homes.

RJM

Rodney J. MacKinnon Inspector General Florida Department of Business and Professional Regulation 2601 S. Blair Stone Road, Tallahassee, FL 32399 (850)-414-6700

Please Note: Florida has a very broad public records law. Most written communications to or from state employees regarding state business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

The actual email is listed below for reference...

All records, exhibits, and supporting documentation—including video evidence, financial impact analysis, and legal filings—remain available for review.

Sincerely,

Shawn Martin, MBA

Elected Board Member & Whistleblower Omega Villas Condominium Association

On Fri, May 23, 2025 at 3:35 PM MacKinnon, Rodney < Rodney. MacKinnon@myfloridalicense.com > wrote:

Good afternoon Mr. Martin,

The issues you are complaining are outside the jurisdiction of my office. I have no investigative authority over any construction or renovation work at your condominium or the permitting process. I also have no authority to overturn a decision of DBPR to investigate, to not investigate, to prosecute, or not to prosecute your complaint. As previously noted, we have referred your case to the DBPR's Division of Condominiums, Timeshares, and Mobile Homes.

RJM

Rodney J. MacKinnon

Inspector General

Florida Department of Business and Professional Regulation

2601 S. Blair Stone Road

Tallahassee, FL 32399

(850)-414-6700

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From: Shawn Martin <sem2000s@gmail.com>

Sent: Thursday, May 22, 2025 5:57 PM

To: Blaire Lapides

bilapides@bellsouth.net>

Cc: Patty Sabates <psabates 48@gmail.com; elizabeth.palen@hotmail.com; kcchen.80@gmail.com; Maude King-Bruce <maudekbruce 2@gmail.com; Maritza Wilhelm <p><maritzawilhelm@yahoo.com; Kaelanibown@yahoo.com; Miriam Tirado <miriam71@comcast.net; Griffin, Melanie <melanies.Griffin@myfloridalicense.com; DBPR, General Counsel</p>
<DBPR.General Counsel@myfloridalicense.com; Collier, Matthew <Matthew.Collier@myfloridalicense.com; OIG <melanies.Griffin@myfloridalicense.com; Otway, Richard <Richard.Otway@myfloridalicense.com; usafls.citizens@usdoj.gov; public.integrity@usdoj.gov; inspectorgeneral@eog.myfloridal.com; crt@usdoj.gov; oig.doj@usdoj.gov; oag.civilrights@myfloridalegal.com; citizenservices@myfloridalegal.com; Press@MyFloridal.egal.com; AskUs@sa17.state.fl.us; ACAP@Floridabar.org; Tina Polsky <POLSKY.TINA@flsenate.gov; Office of Senator Sharief</p>
<sharief, barbara.web@flsenate.gov; marie.woodson@myfloridahouse.gov; pizzo.jason@flsenate.gov; christine.hunschofsky@myfloridahouse.gov; lisa.dunkley@myfloridahouse.gov; daryl.campbell@myfloridahouse.gov; boyd.jim.web@flsenate.gov; osgood.rosalind.web@flsenate.gov; jones.shevrin.web@flsenate.gov; calatayud.alexis.web@flsenate.gov; bradley.jennifer.web@flsenate.gov; stewart.linda.web@flsenate.gov; ordriguez.anamaria.web@flsenate.gov; tiffany.esposito@myfloridahouse.gov; juan.porras@myfloridahouse.gov; jennifer.canady@myfloridahouse.gov; stewart.linda.web@flsenate.gov; carolina.amesty@myfloridahouse.gov; daniel.perez@myfloridahouse.gov; wyman.duggan@myfloridahouse.gov; chip.lamarca@myfloridahouse.gov; askcityhall@plantation.org; lA@psd.plantation.org; WDorr@psd.plantation.org; sao17@sao17.state.fl.us; Connie Fossi connie.fossi@nbcuni.com; tips@cnn.com; viewermail@newshour.org; press.office@theguardian.com; reporters@maimherald.com; msnotcvinfo@nbcuni.com; inroe@tjsdaes@cbsnews.com; newstips@csnn.com; newstips@csnn.com; newstips@csnn.com; newstips@csnn.com; info@floridabulldog.org; tips@uheapeal.org; grassroots@commoncause.org; tips@publicintegrity.org; info@denemn

[NOTICE] This message comes from a system outside of DBPR. Please exercise caution when clicking on links and/or providing sensitive information. If you have concerns, please contact your Knowledge Champion or the DBPR Helpdesk.

Subject: Permitting Exposure and Financial Risk – Urgent Oversight Needed at Omega Villas Condominium

In light of the ongoing construction project and the correspondence below, I am formally escalating the following concerns regarding alleged construction deviations and permitting oversight failures to DBPR, the City of Plantation, and other state-level authorities.

Dear Inspector General Collier, City of Plantation Officials, and Oversight Recipients,

I am writing to formally escalate concerns involving alleged unapproved construction scope modifications and potential building code compliance failures at Omega Villas Condominium Association, where I serve as both a homeowner and elected Board member.

This matter now carries broader implications for:

- Permitting and inspection accountability at the municipal level;
- Regulatory enforcement under DBPR's jurisdiction; and
- Downstream financial exposure impacting homeowners, mortgage lenders, and resale activity.

↑ Core Allegations:

- Furring strips were installed on exterior walls during the Association's \$4.85M restoration project, despite not appearing in the original contract scope disclosed to owners.
- These additions appear to have triggered forced window replacements across multiple units with no documented disclosure of wall assembly
- Insulation may have been removed or never reinstalled after roof decking was removed on pitched roofs, creating serious questions regarding:
 - Florida Energy Code compliance
 - Long-term structural and resale risk
- It remains unclear whether these changes were ever reflected in revised permit documents or subjected to proper final inspection.

City of Plantation - Action Required:

On May 12, 2025, I submitted an inspection request to the City. As of today, I have not received confirmation that a final inspection addressing these concerns has taken place. I respectfully request the City verify:

- Whether exterior wall assembly changes were permitted;
- Whether insulation was reinstalled and inspected;
- Whether any revisions were formally submitted as part of the permitting record.

The failure to address these issues before permit closure may present exposure for the City and affected homeowners alike.

DBPR Oversight – Regulatory and Market Risk:

Should these allegations be confirmed, the implications may extend to:

- · Lender risk exposure on affected properties;
- Unit devaluation due to non-disclosed construction alterations;
- Public concern over whether known permitting issues were ignored or dismissed.

While I am not making legal conclusions, I believe the available evidence supports a reasonable basis for formal investigation and oversight intervention.

Reference Website & Evidence:

Rather than attach supporting materials here, I have made the related documents, video summaries, and inspection commentary available for your review at:



https://hoajusticenow.com/omega-villas-condo-association/

This includes:

- Annotated contract language
- · Photo evidence
- · Timeline of inspection outreach
- · Public Board of Directors meeting behavior tied to rule manipulation and construction discussions



Final Request:

I respectfully request a written response from the City and DBPR within seven (7) business days confirming inspection and regulatory review actions.

If no response is received, I will proceed with broader release of this matter to media, industry watchdogs, and financial oversight entities.

Should mortgage lenders or their legal representatives become involved due to resale complications, code issues, or non-disclosure concerns, I anticipate this matter may escalate rapidly — and publicly. I urge all parties to act now, while there is still time to conduct a neutral inspection and demonstrate responsible oversight.

The record will clearly show that multiple state and local authorities were placed on notice.

Sincerely,

Shawn Martin, MBA

Board Member & Homeowner Omega Villas Condominium Association

On Thu, May 22, 2025 at 7:26 AM Blaire Lapides

bilapides@bellsouth.net> wrote:

Shawn,

No one has said anything about a closed door meeting on May 29th. It will be a regular construction update followed by a regular board meeting. Both are open to all owners.

Respectfully,

Blaire

Please forgive any typos.

Sent from my iPhone

On May 21, 2025, at 10:14 PM, Shawn Martin <sem2000s@gmail.com> wrote:

Subject: Director Notification and Public Transparency Request – May 29 Construction & Closed-Door Meeting

To: Omega Villas Condominium Association Board of Directors

Cc: [All Watchdog Groups and Oversight Contacts – e.g., DBPR, AG Office, State Legislators, Media, HOA Reform Networks]

Dear Board Members,

As a duly elected Director of the Omega Villas Condominium Association, I am writing to formally address concerns regarding the upcoming Board meeting scheduled for **Thursday**, **May 29**, **2025**, and the subsequent **closed-door session** that has reportedly been scheduled to follow it.

It has come to my attention that the Board intends to hold a closed session following the construction meeting. I request immediate clarification on the legal justification for this meeting, including:

- 1. Whether an attorney will be present as required under FS §718.112(2)(c) to invoke the attorney-client exception for closed meetings.
- 2. Whether this session will include discussions of Board member status, retaliation, or personnel matters, and if so, on what statutory grounds those topics are being withheld from public oversight.
- 3. Confirmation that no Board action or discussion will occur in private that violates Florida law or circumvents owner rights, particularly in the context of construction scope, change orders, or retaliation against whistleblower-protected directors.

I remind the Board and property management that **closed sessions held without a clear statutory exemption may be unlawful**, and that any attempt to remove, silence, or retaliate against a whistleblower director outside of a properly noticed public forum with a membership vote would constitute a violation of both state statute and ethical governance standards.

As of **May 21, 2025**, the Department of Business and Professional Regulation (DBPR) confirmed in writing that the complaint regarding Austro Construction has been referred to DBPR's legal counsel for possible action by the Office of General Counsel.

This follows a similar notification received **several months ago**, reinforcing that this is not an isolated concern — but a pattern of potential contractor misconduct tied to undisclosed scope changes and downstream financial harm to Omega Villas homeowners.

This correspondence is being copied to state watchdog groups, legislators, investigative journalists, and Florida oversight agencies as part of the ongoing documentation of potential HOA governance abuse, construction-related financial misconduct, and whistleblower retaliation.

I request that my formal agenda items regarding the installation of furring strips, removal of insulation, and the resulting financial burden placed on owners be included in the public Construction Meeting agenda on May 29.

I will attend this meeting and expect full transparency and procedural compliance in all related discussions.

Respectfully,

Shawn Martin, MBA
Director & Whistleblower
Omega Villas Condominium Association