

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES, AND MOBILE HOMES

IN RE: PETITION FOR ARBITRATION

OMEGA VILLAS CONDOMINIUM ASSOCIATION,
INC.

Petitioner,

v.

Case No. 2025-06-1476

SHAWN MARTIN

Filed with
Arbitration Section

Respondent

AUG 20 2025

Div. of FL Condos, Timeshares & MH
Dept. of Business & Professional Reg

ORDER REQUIRING ANSWER

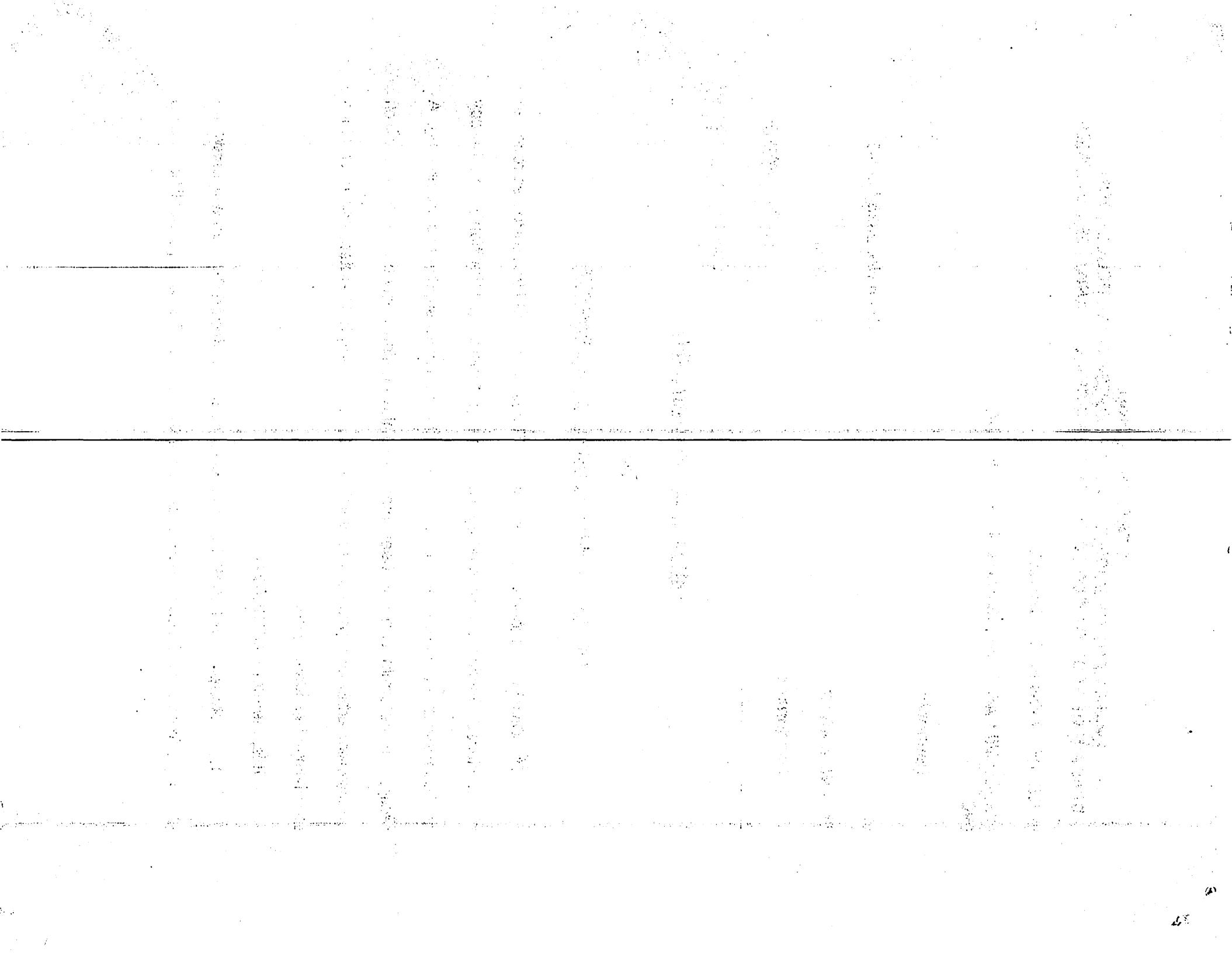
AND

ORDER WITH DIRECTIONS TO ALL PARTIES

The Division of Florida Condominiums, Timeshares, and Mobile Homes received the enclosed Petition for Mandatory Non-binding Arbitration ("Petition") and hereby notifies Respondent named above that Respondent has been sued in this proceeding. A preliminary determination has been made that the petition describes a dispute which qualifies for arbitration pursuant to Section 718.1255, Florida Statutes, and over which the division has jurisdiction.

It is, therefore, ORDERED:

1. Respondent shall file an Answer to the enclosed Petition within twenty (20) days from each Respondent's receipt of this order. The Answer shall be filed on



DBPR Form ARB 6000-003 and must comply with the requirements of Rule 61B-45.019, Florida Administrative Code.

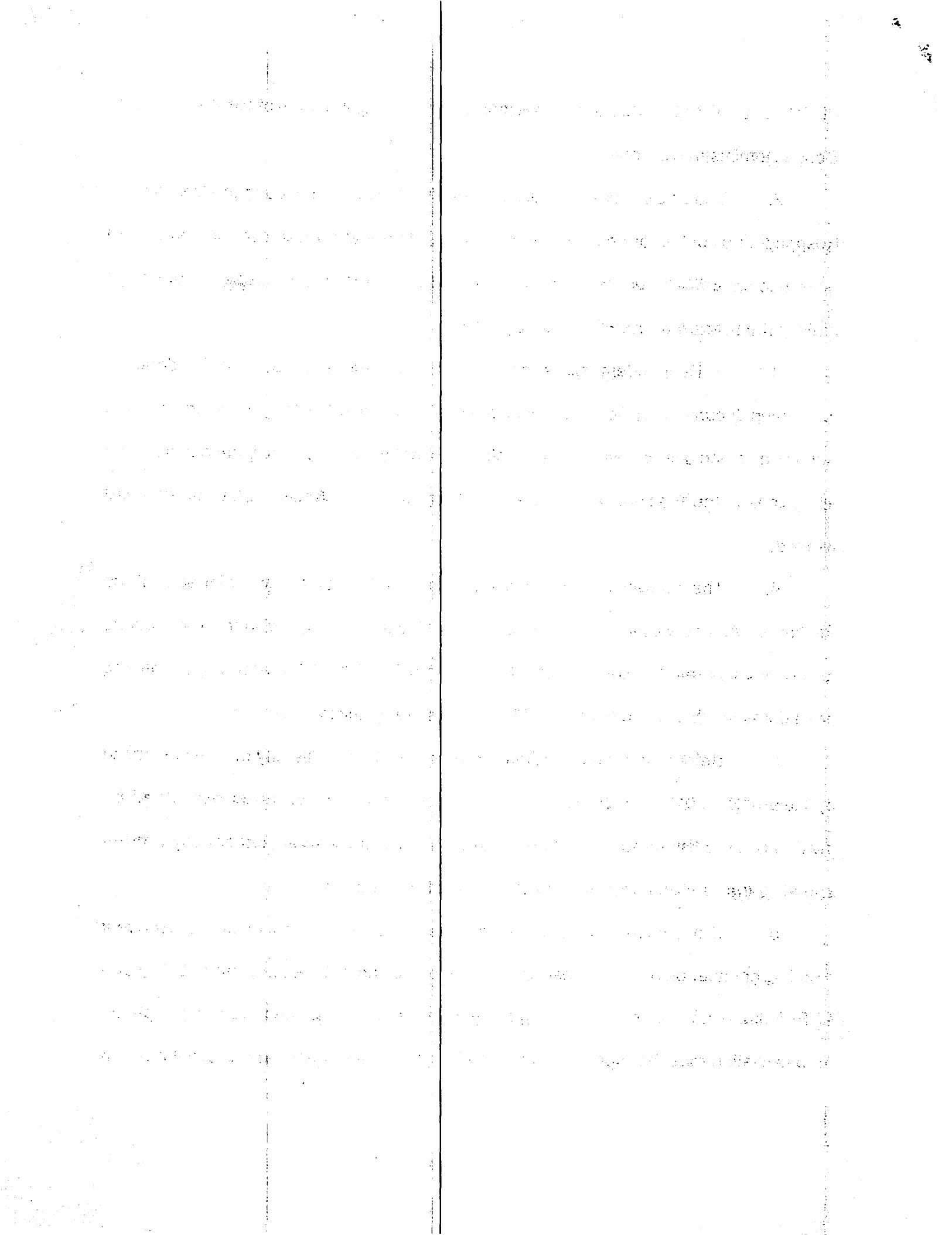
2. The Answer shall separately identify all facts contained in the Petition that Respondent disputes, or shall, in the alternative, state that no disputed facts exist. **All facts not specifically denied shall be deemed admitted; a general denial does not satisfy the requirements of this paragraph.**

3. If Respondent relies on additional or alternate facts in its defense, supporting documentation of these facts must be attached to the Answer. In addition, the Answer must include all defenses and objections that Respondent may have against the allegations in the Petition. **All defenses not raised in the Answer shall be deemed waived.**

4. The Answer shall not include a counterclaim or a new claim against the Petitioner. Any new claims or counterclaims by Respondent may wish to raise must be raised in a separate Petition filed on DBPR Form ARB 6000-001 in accordance with the procedures established in Rule 61B-45.017, Florida Administrative Code.

5. Before the filing of an Answer, Respondent may file any motion authorized by Rule 61B-45.019, Florida Administrative Code. **Any such grounds not raised by motion prior to the filing of the Answer shall be deemed waived, except any ground showing that the division lacks jurisdiction of the subject matter.**

6. If a person who is not an attorney files the Answer or any subsequent pleading or paper on behalf of Respondent, that person shall file a completed DBPR Form ARB96-002 either with or before filing the Answer or any subsequent pleading or paper. An association must be represented by an attorney or other qualified representative. In



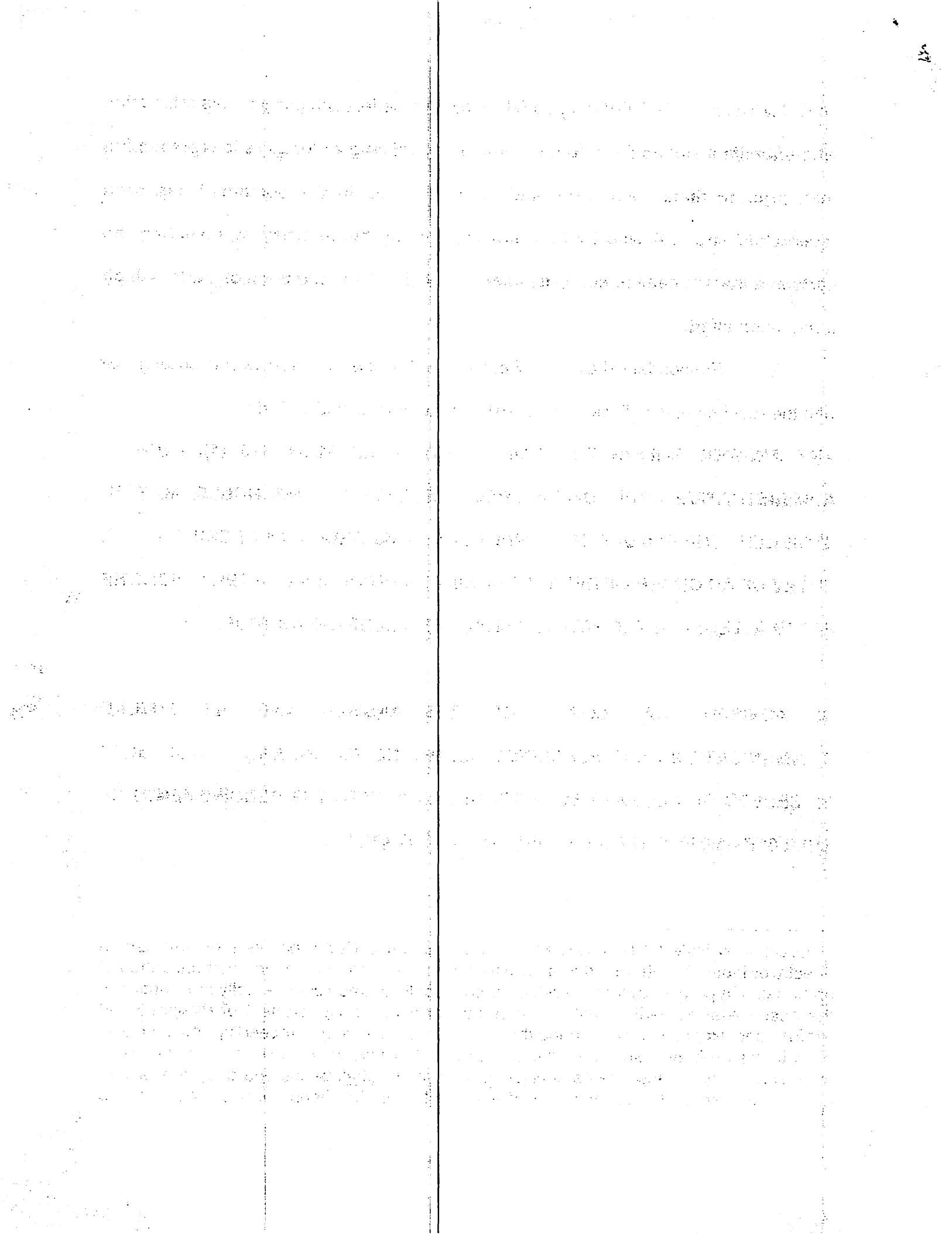
accord with Rule 61B-45.004, Florida Administrative Code, each party to this arbitration who submits a signed filing to the Division, by affixing a signature is representing that, prior to filing, each case and authority cited in the document has been researched and reviewed by that individual or by the attorney representing the party and that the case or authority cited stands for the proposition of law for which it has been cited.

7. Respondent shall serve Petitioner with a copy of the Answer in accordance with the requirements of Rule 61B-45.010, Florida Administrative Code.

ANY ANSWER FAILING TO COMPLY WITH RULE 61B-45.115 (1), FLORIDA ADMINISTRATIVE CODE, OR THE REQUIREMENTS OF THIS ORDER, MAY BE STRICKEN. THE FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN THE ENTRY OF AN ORDER OF DEFAULT AGAINST RESPONDENT, AFTER WHICH THE FACTS ALLEGED IN THE PETITION SHALL BE ACCEPTED AS TRUE.

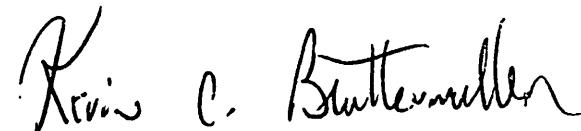
BE ADVISED THAT COPIES OF THIS ANSWER AND ALL FUTURE COMMUNICATIONS AND PLEADINGS SUBMITTED TO THE ARBITRATOR MUST BE SERVED ON ALL PARTIES IN ACCORDANCE WITH THE REQUIREMENTS OF RULE 61B-45.010, FLORIDA ADMINISTRATIVE CODE.¹

¹ Pursuant to Rule 61B-45.007, Florida Administrative Code, no party or any person directly or indirectly interested in an arbitration proceeding, nor anyone authorized to act on behalf of a party or other interested person, shall communicate verbally or in writing in the absence of all parties, with the arbitrator or with the Department of Business and Professional Regulation concerning the merits of the arbitration proceeding. Also, neither party to this arbitration shall e-mail the arbitrator. All filings with the Department are to be by mail delivery or facsimile transmission. All e-mails shall be disregarded, unless they have been expressly requested by the arbitrator or the Department's staff. Phone



SECTION 718.1255(4)(K), FLORIDA STATUTES, MANDATES THAT THE LOSING PARTY SHALL PAY THE COSTS AND ATTORNEY'S FEES OF THE PREVAILING PARTY; FOR THIS REASON, THE SETTLEMENT OF THE DISPUTE PRESENTED IN THE PETITION IS ENCOURAGED. HOWEVER, RULE 61B-45.048, FLORIDA ADMINISTRATIVE CODE, MANDATES THAT ANY PARTY SEEKING AN AWARD OF COSTS AND ATTORNEY'S FEES MUST REQUEST THE AWARD IN WRITING PRIOR TO RENDITION OF THE FINAL ORDER.

DONE AND ORDERED this 20th day of August 2025, at Tallahassee, Leon County, Florida.



Kevin C. Beuttenmuller, Senior Attorney
Office of the General Counsel
Condominium Arbitration and
Mediation Program
Department of Business &
Professional Regulation
2601 Blair Stone Road
Tallahassee, FL 32399-1030
Telephone: (850) 414-6867
Facsimile: (850) 487-0870

Copy furnished via regular U.S. Mail to:

Rhonda Hollander, Esq.
Hollander, Goode & Lopez, PLLC
314 South Federal Highway
Dania Beach, FL 33004
Attorney for Petitioner

Copy furnished by
U.S. Certified Mail, with copy of

messages left directly with the arbitrator shall not be returned or taken into consideration for any purpose.

Petition and attachments to:

Shawn E. Martin
1760 NW 73rd Avenue, #48
Plantation, FL 33313-4433
Respondent

