

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

SHAWN MARTIN,

Petitioner,

v.

Case No. 2024-03-7824¹

OMEGA VILLAS CONDOMINIUM
ASSOCAITON, INC.,

Filed with
Arbitration Section

Respondent.

AUG - 8 2024

ORDER REQUIRING ANSWER

The Division of Florida Condominiums, Timeshares, and Mobile Homes received the enclosed Petition for Mandatory Non-binding Arbitration ("Petition"), made a preliminary determination that it states a dispute per section 718.1255, Florida Statutes, and hereby notifies the Respondent named above that the Respondent has been sued in this proceeding.

**YOU ARE ADVISED TO CAREFULLY READ AND FULLY COMPLY WITH THE
REQUIREMENT OF THIS ORDER**

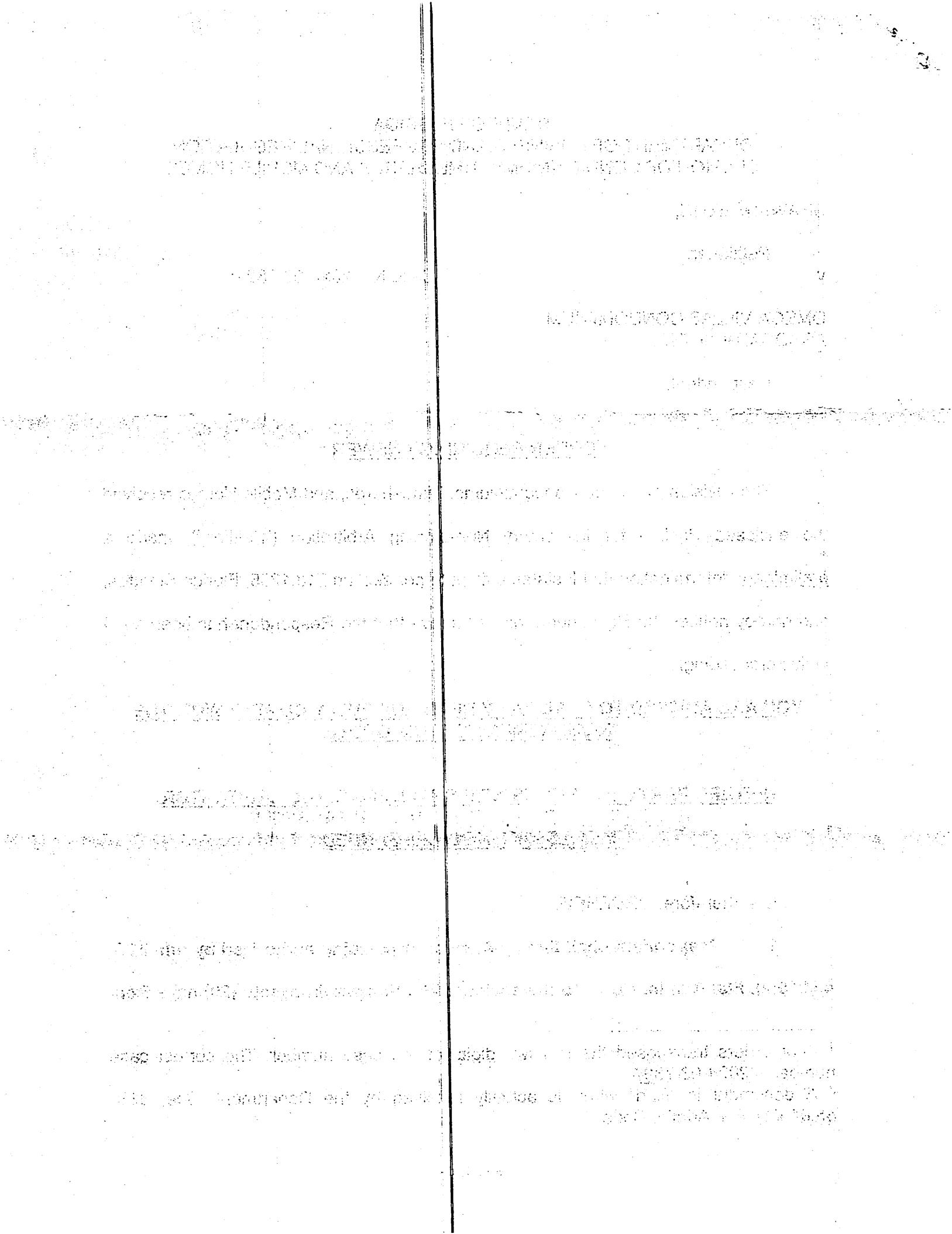
**NEITHER PARTY TO THIS DISPUTE SHALL EMAIL THE ARBITRATOR
ALL FILINGS ARE TO BE BY MAIL OR FACSIMILE
EMAILS WILL BE DISREGARDED**

It is, therefore, ORDERED:

1. Respondent shall file² an Answer or pleading authorized by rule 61B-45.019(2), Fla. Admin. Code, to the enclosed Petition within twenty (20) days from

¹ Prior orders transposed the last two digits of the case number. The correct case number is 2024-03-7824.

² A document is "filed" when is actually received by the Department. See, 61B-45.010(4), Fla. Admin. Code.



Respondent's receipt of this order.

2. The Answer shall:

- a. be filed on DBPR Form ARB 6000-003 and must comply with the requirements of Rule 61B-45.019, Florida Administrative Code; and,
- b. if typed, be 12-point type, Arial font preferred, single sided; and,
- c. "admit" or "deny" every allegation of fact as stated in the petition's "Statement of Fact." All facts not specifically denied shall be deemed admitted; a general denial does not satisfy the requirements of this paragraph.

An answer that states "without knowledge and therefore denied" will be treated as admitted, and

- d. separately identify all facts contained in the Petition that Respondent disputes, or shall, in the alternative, state that no disputed facts exist; and,
- e. state all defenses and objections and the facts supporting the objection or defense that Respondent may have against the allegations in the Petition; and,
- f. attach all exhibits which must be sequentially numbered; and,
- g. serve Petitioner with a copy of the Answer in accordance with the requirements of Rule 61B-45.010, Florida Administrative Code.
- h. the defense of **selective enforcement** shall contain all examples of selective enforcement upon which the respondent depends, shall indicate the unit(s) to which each example pertains, shall identify the unit owner(s), how long the violation has existed, and shall indicate whether the board knew of the existence of the violation(s).
- i. provide an email address for Respondent if Respondent has email.

3. 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.

8/24
DONE AND ORDERED on August 6, 2024, in Tallahassee, Leon
County, Florida.

J. A. Spejenkowski
J.A. Spejenkowski, Arbitrator
Dept. of Business and Professional Regulation
Division of Florida Condominiums,
Timeshares and Mobile Homes
Arbitration Section
2601 Blair Stone Road
Tallahassee, FL 32399-1030
Telephone: 850.414.6867
Facsimile: 850.487.0870

Copies furnished by regular U.S. mail to:

Shawn Martin
1760 NW 73RD Ave
Plantation, FL 33313

Copies furnished by U.S. Certified Mail, with copy of Petition and attachments, to:

Hollander, Goode & Lopez, PLLC

According to the new analysis, for the first time, the number of people in the United States who are obese has reached a plateau, and the number of people who are overweight has begun to decline.

Biology and Biochemistry

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**314 South Federal Highway
Dania Beach, FL 33004**

