

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

SHAWN MARTIN,

Petitioner,

v.

Case No. 2024-03-7824<sup>1</sup>

OMEGA VILLAS CONDOMINIUM  
ASSOCIATION, INC.,

Filed with  
Arbitration Section

Respondent.

AUG - 8 2024

**ORDER REQUIRING ANSWER**

Div. of FL Condos, Timeshares & MM  
Business & Professional Reg.

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 file<sup>2</sup> an Answer or pleading authorized by rule 61B-45.019(2), Fla. Admin. Code, to the enclosed Petition within twenty (20) days from

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

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

ADHOC COMMITTEE  
ON THE  
FUTURE OF THE  
NATIONAL GOVERNMENT

1994-1995

1994-1995

MEMORANDUM FOR THE

COMMITTEE

1994-1995

The Committee has received a number of submissions from interested parties, including the following:

- 1. A submission from the [Name] regarding the [Topic].
- 2. A submission from the [Name] regarding the [Topic].
- 3. A submission from the [Name] regarding the [Topic].

The Committee has considered these submissions and has concluded that the [Topic] should be [Action].

ADHOC COMMITTEE  
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1994-1995

The Committee has received a number of submissions from interested parties, including the following:

- 1. A submission from the [Name] regarding the [Topic].
- 2. A submission from the [Name] regarding the [Topic].
- 3. A submission from the [Name] regarding the [Topic].

The Committee has considered these submissions and has concluded that the [Topic] should be [Action].

**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.

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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.

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 73<sup>RD</sup> Ave  
Plantation, FL 33313

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

Hollander, Goode & Lopez, PLLC

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