



Shawn Martin <sem2000s@gmail.com>

Subject: Preliminary Notice – Structural Alterations, Selective Enforcement, and Broader Concerns

Shawn Martin <sem2000s@gmail.com>

Tue, May 13, 2025 at 1:54 PM

To: "Esq. Rhonda Hollander" <rhonda@hgl-law.com>, Patty Sabates <psabates48@gmail.com>, Blaire Lapidés <bjlapides@bellsouth.net>, Elizabeth.palen@hotmail.com, Kcchen.80@gmail.com, Maude King-Bruce <maudekbruce2@gmail.com>, Maritza Wilhelm <maritzawilhelm@yahoo.com>, Miriam Tirado <miriam71@comcast.net>, Kaelanibown@yahoo.com
 Cc: "Cc:Melanie.Griffin@myfloridalicense.com" <Melanie.Griffin@myfloridalicense.com>, DBPR.GeneralCounsel@myfloridalicense.com, "Matthew.Collier@myfloridalicense.com" <Matthew.Collier@myfloridalicense.com>, oig@myfloridalicense.com, Richard Otway <Richard.Otway@myfloridalicense.com>, usafls.citizens@usdoj.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, 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>, "TCollins@browardsao.com" <TCollins@browardsao.com>, 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, Patrick@pk80.com, txhoareform@gmail.com

Subject: Formal Escalation Notice – Legal Clarity Outstanding on Furring Strip, Window Reinstallation, and Internal Access Limitations

Dear Ms. Hollander and Board Members,

I am writing to formally escalate several unresolved legal and procedural concerns that continue to impact the integrity of Association governance and expose homeowners to potential financial harm. These issues — particularly the furring strip/insulation deviations and the reassignment of window reinstallation responsibility — remain unanswered and now reflect a documented pattern of selective legal access and vendor-aligned communications.

1. Furring Strips & Insulation Removal – Potential Material Alteration & Contract Breach

The installation of furring strips and associated changes to wall structure — without a membership vote — may constitute a **material alteration** under Florida Statute §718.113(2)(a), which would require an affirmative vote of two-thirds of the total voting interests.

Additionally, based on material descriptions raised in my recent communications and sourced from project documentation, there is a **credible concern that this deviation constitutes a material breach of the Austro Construction contract**. These changes may not align with approved construction scopes or the representations made to owners during the planning process.

No legal opinion has been provided to clarify the Association's position on these matters despite at least 3 different owners' requests.

2. Window Reinstallation Liability – Legal Guidance Still Withheld

Director Kaelani Brown submitted legal opinion requests on **April 8 and May 8, 2025**, asking whether the Association may lawfully require homeowners to reinstall or replace windows that were removed by the Association's contractor — particularly in the absence of prior notice, a membership vote, or a specific contract clause assigning that burden.

To date, the Association's attorney has **not provided a written opinion**, nor has the Board discussed the issue in open session. Meanwhile, legal responses to homeowner **Janice Costello** have been sent with **outside vendors (Austro and S&D)** copied, which raises further concerns regarding the independence of the legal guidance being issued.

3. Board Decorum Policy – Legal Access Suppression

These patterns reinforce the concerns raised in the **Board Decorum RICO Complaint submitted April 14, 2025**, which details how:

- Legal access is restricted to a single Board member;
- Directors are denied the ability to seek legal clarification independently;
- Statutory and fiduciary inquiries are routinely deflected or ignored.

This has made it difficult for the Board to carry out informed oversight and raises serious concerns about process transparency and legal risk.

4. Oversight Context & Transparency Imperative

- The **SLAPP suit complaint filed with DBPR was closed**, citing lack of jurisdiction — despite significant documentation of retaliatory legal tactics.
- **Law enforcement has not yet initiated any action** on the broader concerns related to construction practices or potential criminal conduct.

These outcomes do not resolve the underlying legal exposure or governance failures — they only heighten the urgency of full transparency.

5. Distribution & Documentation

In alignment with my fiduciary obligations as a director and whistleblower, I am distributing the following attachments to appropriate state and federal oversight agencies, media contacts, and public accountability groups:

- **Attachment 1: PDF Portfolio – Legal Correspondence on Window and Construction Issues** (Includes emails from Directors Brown and Costello, attorney responses, vendor communications, and related threads) **NOTE: The window letters that appear to force owners into replacing their windows pushed forward by HOA counsel!**
- **Attachment 2: Board Decorum RICO Complaint – April 14, 2025** **NOTE: YouTube videos on the passage of these rules are available upon request.**

This step is not adversarial but necessary to preserve a full and accurate record of what has been asked — and what remains unaddressed.

Respectfully,

Shawn Martin, MBA
Director, Omega Villas Condominium Association
Protected Whistleblower

[Quoted text hidden]

2 attachments

 **Legal Emails to Furring + Window Issues Collection.pdf**
4950K

 **Board Decorum Complaint for RICO 4.14.25.pdf**
279K