

Chuck Drago, Interim Secretary

Charlie Crist, Governor

May 12, 2008

Mr. Matthew G. Sollars, CPA
Chief Financial Officer
Republic Enterprises, LLC
1360 NW 33rd Street
Pompano Beach, FL 33064

Re: Parkridge Mobile Home Park
Investigation Case No. 2008004273

Dear Mr. Sollars:

The Division received your letter of March 10, 2008, responding to our letter to the park manager regarding a complaint the Division received regarding a few issues at the park.

1. The park owner failed to make available upon request the names and addresses of the affected home owners who were given the 2008 lot rent increase notice, and the park owner failed to meet with the homeowners to discuss the notice.

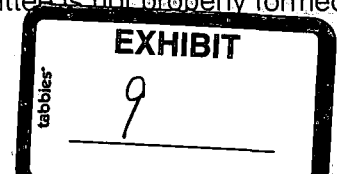
The Division was informed that on January 18, 2008, [REDACTED] a homeowner in the park, following her receipt of a lot rent increase notice, requested from the park office access to the names and addresses of the affected homeowners and her request was denied.

You responded stating the 2008 lot rent increase notice was sent to the homeowners on October 26, 2007, and that the park owner did not receive a request to meet with a homeowners' committee until January 18, 2008. Further, you stated that the homeowners were required to sign a petition to protest the increase and demand a meeting with the park owner and that the park owner never received such petition or timely demand. Therefore, a meeting between the park owner and the homeowners' committee to discuss the 2008 lot rent increase notice was not held.

Section 723.037(1), Florida Statutes, states in part, "The notice shall identify all other affected homeowners, which may be by lot number, name, group, or phase. If the affected homeowners are not identified by name, the park owner shall make the names and addresses available upon request." (emphasis added)

Section 723.037(4)(a), Florida Statutes, states in part: "A committee, not to exceed five in number, designated by a majority of the affected mobile home owners or by the board of directors of the homeowners' association, if applicable, and the park owner shall meet, at a mutually convenient time and place within 30 days after receipt by the homeowners of the notice of change, to discuss the reasons for the increase in lot rental amount, reduction in services or utilities, or change in rules and regulations." (emphasis added)

Although, the Division agrees based upon the information received, that the homeowners' committee's request for a meeting was received by the park owner after the 30 day statutory period, please be aware the statute does not require the homeowners' committee to provide the park owner a petition signed by a majority of homeowners in order to request a meeting to discuss a notice. However, they must obtain such authority designating no more than five homeowners to represent them. The statute is clear in the obligations of both the park owner and the homeowners, in that they shall meet at a mutually convenient time and place within 30 days of the homeowners' receipt of the notice. Obviously, if a homeowners' committee is not properly formed,



pursuant to statute requirements, a meeting cannot be held, thereby, relieving the park owner from its obligation to meet.

Since the 2008 lot rent increase notice did not include a date of the notice, the Division was not able to determine the estimated date the homeowners received the notice. A sample notice is enclosed for your future reference.

2. In the Division's telephone conversation with Anita Hernandez, the park manager, the Division was informed that George Karas was no longer the park owner.

The Division, in our letter of February 22, 2008, requested a copy of the transfer of interest of the park property, such as the recorded warranty deed, on or before March 11, 2008, from Mr. Karas, the prior park owner, to the new park owner. The Division did not receive a copy of such documentation along with your response letter. However, the Division contacted the Clerk of the Circuit Court of Broward County and obtained a copy of the February 28, 2007, warranty deed of the property on which the park is located.

The Division also requested the address of the new park owner along with where they wanted to receive notices from the Division and the name of the person mail should be directed. This information was not provided to the Division; therefore, the Division's records will state that all correspondence shall be sent to Jim Robertson, Registered Agent, at 1360 NW 33rd Street, Pompano Beach, FL 33064.

3. The Division acknowledges receipt of the 2007 annual fees, in the amount of \$605.00.

The Division normally sends in July or August of each year, although not required by statute, to each park owner or authorized person, a statement of the annual fees due for the park.

If you have any questions, please do not hesitate to call me at 850.487.0747 or email me at evelyn.clark@dbpr.state.fl.us.

Thank you for your cooperation with this investigation.

Sincerely,
BUREAU OF COMPLIANCE

Evelyn M. Clark
Investigator II

cc: [REDACTED], a homeowner
Jim Robertson, Registered Agent for the park owner
Anita Hernandez, Park Manager