

All Florida Management

Case #4 - Sunset Villas Phase III Condominium Association, Inc.

Division Case #2006067292 – Date received: December 7, 2006

Investigator: Phyllis Ann Atwell

- Address: 4801 NW 7th Street, Miami, 33126
- Number of Units: 440
- Hispanic Community: YES
- Number of complainants: 1 complaint captain, plus 138 affidavits from other unit owners claiming that no first notice of election was received.
- Number of unit owners contacted apart from captain: 4
- Complaint: #1 No first notice of election was sent for the 2006 annual election.
- Evidence: #1 Postal certification of an October 13, 2006 mailing claimed by AFM to be a first notice of election mailing for the December 13, 2006 election.
 - #2 Second notice of election for the 2006 election stating that no election is necessary due to the receipt of fewer candidate intents than board seats.
 - #3 Signatures from 138 unit owners claiming to not have received a first notice of election.
 - #4 One unopened letter with a postal stamp from October 13, 2006
There appears to be only 1 piece of paper inside the envelope, where the mailing had FOUR (4) pieces of paper. The envelope has a measure of transparency that allows for the viewer to see that a first notice of election is not contained in the envelope.

NO DETERMINATION HAS BEEN MADE BY THE INVESTIGATOR AT THIS TIME

Note: The unit owners tried to recall their alleged, improperly seated Board through recall arbitration. The recall effort failed. See Case #2006036578 – James Earl presided.