

Chuck Drago
Interim Secretary

Charlie Crist
Governor

May 19, 2008

Ms. Catherine Penno

RE: Mentone Court Condominium Association, Inc.
CASE NO. 2008017832

Dear Ms. Penno:

As discussed in our May 15, 2008, telephone conversation, the Division of Land Sales, Condominiums and Mobile Homes has completed its investigation of your complaint.

The following is a summary of your allegation and the division's resolution:

- The board of directors for the Mentone Court Condominium Association failed to follow the association's declaration regarding who is permitted to serve on the board.

The Florida Condominium law does not provide the Division with the jurisdiction to interpret or enforce a condominium's documents. As I stated during our conversation, the only person that the condominium law states may not serve on the board is a person convicted of a felony and who has not had his/her civil rights restored.

If you believe that the board or some of the unit owners have violated certain association rules and/or bylaws, you may want to send a certified letter of inquiry to the association's board of administration in order to alert them to your concerns and to ask how they plan to address the issue(s). Under Florida Condominium law, when a unit owner files a written inquiry by certified mail with the board of administration, the board shall respond in writing to the unit owner within 30 days of receipt of the inquiry. The board's response shall either give a substantive response to the inquirer, notify the inquirer that a legal opinion has been requested, or notify the inquirer that advice has been requested from the division.

Based on the above, the Division is unable to address your issues further and will close its file at this time. Please feel free to contact me at 813-356-1720, ext. 113, if you have any questions or if you need further clarification regarding the resolution of this complaint.

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If our office can be of any assistance to you in the future, we would be glad to help you in any way we can.

Sincerely,

John Waddell
Investigation Specialist II