

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an order disposing of the petition for declaratory statement filed by Julie Rawson, Petitioner/Unit Owner, In Re: Osprey at Destin West Beach and Bay Resort Condominium Association, Inc., Docket No. 2011049595 on October 11, 2011. The following is a summary of the agency's disposition of the petition:

The Division finds that Osprey at Destin West Beach and Bay Resort Condominium Association, Inc. lacks the authority to adopt a bylaw restricting a unit owner's eligibility to run for election to the board of directors. Specifically, the proposed bylaw amendment that a candidate for election must not be a member of the board of directors of the Destin West Beach and Bay Resort Condominium Associations of Sandpiper, Heron, or Pelican Condominiums, is expressly disallowed under Section 718.112(2)(d)2., F.S.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Humberto Rubio, Jr., Esq., In Re: Mirador 1200 Condominium Association, Inc., Docket No. 2012003104. The petition seeks the agency's opinion as to the applicability of Section 718.103(2), Florida Statutes, as it applies to the petitioner.

Whether Mirador Master Association, Inc. is a condominium association as defined by Section 718.103(2), Florida Statutes.

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Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that Building Code Administrators and Inspectors Board has received the petition for declaratory statement from Robert J. Koning. The petition seeks the agency's opinion as to the applicability of Sections 468.831 and 468.8311, Florida Statutes. as it applies to the petitioner.

The petition seeks the Board's interpretation of Sections 468.831 and 468.8311, Florida Statutes., as they apply to the inspection of a standard one and two family dwelling. Specifically, whether one licensed as a Standard One and Two Family Dwelling Inspector pursuant to the provisions of Chapter 468, Part XII, F.S. is entitled by virtue of said license to contract with non-governmental parties to provide a Home Inspection Service as defined in Chapter 468, Part XV, F.S.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

Section VIII Notices of Petitions and Dispositions Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

Florida Wildlife Federation, Inc.; Sierra Club, Inc.; Conservancy of Southwest Florida, Inc.; Environmental Confederation of Southwest Florida, Inc.; and St. Johns Riverkeeper, Inc. vs. Department of Environmental Protection; Case No.: 12-0157RP; Rule No.: 62-302.530(47)(b)

Florida Wildlife Federation, Inc.; Sierra Club, Inc.; Conservancy of Southwest Florida, Inc.; Environmental Confederation of Southwest Florida, Inc.; and St. Johns Riverkeeper, Inc. vs. Department of Environmental Protection; Case No.: 11-6137RP; Rule No.: 62-302.530(47)(b)

Kevin Rader vs. Florida Commission on Ethics; Case No.: 12-0418RX, Rule No.: 34-8.002

Christina B. Paylan, M.D. vs. Department of Health, Board of Medicine; Case No.: 12-0012RU

First Coast Management Services, Inc. vs. Department of Children and Families; Case No.: 12-0136RU

Seminole County School Board vs. State Board of Education; Case No.: 12-0443RU

J.R.; A.V.; and Disability Rights of Florida vs. Agency for Persons with Disabilities; Case No.: 11-5621RU

Florida Quarter Horse Racing Association, Inc., and Florida Quarter Horse Breeders, and Owners Association, Inc. vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 11-5796RU

Guarantee Trust Life Insurance Company vs. Financial Services Commission and Office of Insurance Regulation; Case No.: 11-5827RU

Robert Burns, M.D. vs. Department of Health, Board of Medicine; Case No.: 11-6053RU

Citizens for Pets in Condos, Inc. and M.B.F. vs. Florida Commission on Human Relations; Case No.: 11-6398RU

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

C.V., M.D., L. M. and M. L. vs. Agency for Health Care Administration; Case No.: 11-3972RP; Rule No.: 59G-4.130; Dismissed

Disability Rights Florida vs. Agency for Health Care Administration; Case No.: 11-3984RP; Rule No.: 59G-4.130; Dismissed

Diana Richardson, LMT vs. Department of Business and Professional Regulation, Board of Cosmetology; Case No.: 11-5454RX; Rule No.: 61G5-29.001; Dismissed

Worldwide Appraisal SVS Inc., Fred Catchpole, William Woods, and Fred Bowermaster vs. Florida Real Estate Appraisal Board, Department of Business and Professional Regulation; Case No.: 11-3335RX; Rule Nos.: 61J1-4.010(5)(a), 61J1-4.010(5)(b); Dismissed

Road Less Traveled, LLC; Anne B. Larussa; Steven and Annette M. McNutt; Norman R. and Debbie A. Koener; Tony C. and Bonnie J. Burton; Jonathon and Sheryl Kimerling; Gordon B. and Isabelle V. Gsell; Randall P. and Florence T. Roberts; C.T. Fitzpatrick, III; Joseph W.; Et. AL. vs. Department of Environmental Protection; Case No.: 07-4767RX; Rule Nos.: 62B-33.002(18), (43), (60), 62B-33.005(1)(a), (1) & (2), 62B-33.0051(1)(a), (2)(c), 62B-33.0051(1)(a), (2)(d); Dismissed

J. E., C. A., L. L., and J. F. vs. Agency for Persons with Disabilities; Case No.: 10-1287RP; Rule Nos.: 65G-4.014(1), 65G-4.014(3), 65G-4.017(1), 65G-4.017(3); Dismissed

Secure Enterprises, LLC vs. Office of Insurance Regulation and the Financial Services Commission; Case No.: 11-2054RX; Rule No.: 69O-170.0155; Voluntarily Dismissed

The Florida Insurance Council, Inc., and National Association of Mutual Insurance Companies vs. Financial Services Commission and Office of Insurance Regulation; Case No.: 09-1208RP; Rule No.: 69O-175.008(2); Dismissed

Stewart Title Guaranty Company vs. Office of Insurance Regulation and the Financial Services Commission; Case No.: 07-0077RP; Rule No.: 69O-186.013; Dismissed

First Coast Management Services, Inc. vs. Department of Children and Families and Lutheran Services, Florida, Inc., (Intervenor); Case No.: 12-0136RU; Voluntarily Dismissed

Andre and Chevy Cunningham vs. Department of Environmental Protection; Case No.: 11-2066RU; Dismissed

Lonny Ohlfest vs. Department of Highway Safety and Motor Vehicles; Case No.: 11-5097RU; Dismissed

J.R.; A.V.; and Disability Right of Florida vs. Agency for Persons with Disabilities; Case No.: 11-5621RU; Dismissed

C.M. and Advocacy Center for Persons with Disabilities, Inc.; and L.C.; J.S.; L.L.; J.F.; C.A.; and Florida's Children First, Inc. (Intervenors) vs. Agency for Persons with Disabilities; Case No.: 09-5878RU; Dismissed
