

3. If the claimant is identified as owing an outstanding debt as set forth in paragraph (19)(j), in an amount less than the cash portion of the prize net of any federal income tax withholding, the non-cash portion of the prize and the amount owed to the claimant after his or her debt is satisfied and taxes have been withheld shall be awarded. If the claimant is identified as owing an outstanding debt in an amount greater than the cash portion of the prize net of any federal income tax withholding, the cash portion of the prize remaining after taxes have been withheld will be applied toward the outstanding debt as provided in Section 24.115(4), F.S., and the claimant will receive the remaining non-cash portion of the prize.

(21) Canceled and Previously Paid Tickets. No payment shall be made upon a ticket submitted for payment that is reflected in the Lottery's records as having been canceled or previously paid.

(22) Disclosure of Source of Ticket. The Lottery reserves the right to require the claimant of any winning ticket to disclose the source of the ticket.

(23) Final Payment Decision. The Lottery's decision and judgments in respect to the determination of a winning ticket or of any other dispute arising from payment or awarding of prizes shall be final and binding upon all participants in the lottery unless otherwise provided by law or these rules. In the event a question arises relative to a winning ticket, or the payment or awarding of any prize, the Lottery is authorized to:

(a) Deposit the prize winnings into an escrow fund until the dispute is resolved; or

(b) Petition a court of competent jurisdiction for instructions and a resolution of the controversy.

(24) All tickets and claim forms presented to the Florida Lottery shall become the property of the Florida Lottery.

(25) Information for claiming a prize can be obtained by writing the Florida Lottery, Public Affairs, 250 Marriott Drive, Tallahassee, Florida 32399-4016, or by calling (850)487-7777.

(26) Payment of winning tickets is subject to all other applicable statutes and rules.

(27) This emergency rule replaces Emergency Rule 53ER08-89, F.A.C.

Rulemaking Authority 24.105(9)(e), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(e), 24.115(1),(4) FS. History—New 1-11-10, Replaces 53ER08-89, F.A.C.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: January 11, 2010

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

## Section V Petitions and Dispositions Regarding Rule Variance or Waiver

### BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

### PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that on December 30, 2009, the Florida Public Service Commission received a petition for waiver of Rule 25-4.0185, Florida Administrative Code.

Docket No.: 090550-TL – Petition for variance from Rules 25-4.0185 and 25-4.073, F.A.C. by Verizon Florida LLC. Rule 25-4.0185, F.A.C., requires a local exchange company to collect and report call-answer time data. Rule 25-4.073, F.A.C., requires a local exchange company meet certain answer-time intervals. Comments on the petition should be filed with the Commission's Office of Commission Clerk, within 14 days of publication of this notice. For additional information, please contact: Lee Eng Tan, Office of the General Counsel, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, or at (850)413-6189.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

NOTICE IS HEREBY GIVEN THAT on December 30, 2009, the Florida Public Service Commission received a petition for waiver of Rule 25-4.0185, Florida Administrative Code.

Docket No.: 090552-TL – Petition for modification of Service Guarantee Program by Embarq Florida, Inc. d/b/a CenturyLink. The rule requires a local exchange company to report information regarding Schedules 15 on a quarterly basis. Comments on the petition should be filed with the Commission's Office of Commission Clerk, within 14 days of publication of this notice. For additional information, please contact: Lee Eng Tan, Office of the General Counsel, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6189.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT on September 11, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order.

The Request for Variance is withdrawn by the petitioner, Dave Gibson, Hammock Beach Resort, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers (VW 2009-455).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on October 19, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Lake Destiny Executive Center, Maitland, FL, and location of the Serial Number 36574-75, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Tommy G. Tucker, Project Manager (VW 2009-811).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on December 18, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a permanent variance from A17.1, Section 2.7.3.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Watermark, Tampa, FL. The petition was received from Steve Jarvis, Sales Manager (VW 2009-812).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on December 21, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a permanent variance from A17.1, Section 2.1.3 and 2.7.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph

61C-5.001(1)(a), F.A.C. The petitioner, Marina Village Condo, Merritt Island, FL, and location of the Serial Number 86008. The petition was received from Matthew Golden, Agent (VW 2009-813).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on December 21, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Monroe Park Tower, Tallahassee, FL, and location of the Serial Number 36020-23, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Lawrence T. LoCascio, Director of Property Management (VW 2009-814).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on December 21, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, 2.7.4 and 3.3.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Canaveral Sands Condo, Cape Canaveral, FL, and location of the Serial Number 29968, 30768, 31501 and 34284, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Tim Cleckner, Agent (VW 2009-815).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on December 21, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Milan Properties Ltd. of Temple Terrace, and location of the Serial Number 21235, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Sue Ellen Sexton, Senior Property Manager (VW 2009-816).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on December 22, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Snell Arcade, St. Petersburg, FL, and location of the Serial Number 11098, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Lee Rigby, Agent (VW 2009-817).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on December 22, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Promenade, Longboat Key, FL, and location of the Serial Number 35077-80, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Lee Rigby, Agent (VW 2009-818).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on December 21, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a permanent variance from A17.1, Section 3.4.4 and 3.4.7, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Bath & Tennis Club, Palm Beach, FL. The petition was received from Lee Rigby, Agent (VW 2009-819).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on December 22, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a),

F.A.C. The petitioner, Putnam Hotel, Deland, FL, and location of the Serial Number 18050, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Jayne Rocco, Owner (VW 2009-820).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on December 23, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency permanent variance from A17.1, Section 5.7.12.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Veolia Es Pinellas, St. Petersburg, FL, and location of the Serial Number 32161. The petition was received from Lee Rigby, Agent (VW 2009-821).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on December 23, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, The Everglades Club, Palm Beach, FL, and location of the Serial Number 33963, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Scott Lee (VW 2009-822).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on December 28, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a permanent variance from A17.3, Section 2.2.5, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Seville Apartments, Tampa, FL, and location of the Serial Number 9743-44. The petition was received from William Snyder, Agent (VW 2009-823).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on December 28, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety

received a petition for a permanent variance from A17.1, Section 2.7.3 and 2.12.6.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Water Club, Longboat Key, FL, and location of the Serial Number 49566-67, 49646-49 and 49912-13. The petition was received from Lee Rigby, Agent (VW 2009-824).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on December 29, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Melbourne Beach Hilton, Indialantic, FL, and location of the Serial Number 36928-30, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Rick Lacy, Director of Engineering (VW 2009-825).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on December 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency permanent variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Ocean Parks Condo Assoc., Inc. of Jupiter, and location of the Serial Number 28184, 28998, 29134, 30472, 31537, 31974, 33099 and 34212. The petition was received from Paul Komie, Agent (VW 2009-826).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on December 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Whitehall South Condominium, Boca Raton, FL, and location of the Serial Number 12020-25, requests the variance for an extension of

time to complete repairs and for economic/financial hardship. The petition was received from Janet Jordan, General Manager (VW 2009-827).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on December 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a permanent variance from an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Sandalfoot South Condo Assoc. Phase 3 of Boca Raton, FL, and location of the Serial Number 11117 and 11992. The petition was received from the Board of Directors (VW 2009-828).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on December 23, 2009, the Board of Cosmetology, received a petition for waiver or variance of subsections 61G5-20.002(3) and (6), F.A.C., filed by M&S Business Solutions One, Inc., d/b/a Eyebrow Designer 21, seeking full waiver or variance of subsections 61G5-20.002(3) and (6), F.A.C.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Board of Cosmetology, Department of Business and professional Regulation, 1940 North Monroe Street, Tallahassee, FL 32399-0790.

Comments on this petition should be filed with: Board of Cosmetology, Department of Business and professional Regulation, 1940 North Monroe Street, Tallahassee, FL 32399-0790, within 14 days of publication of this notice.

For a copy of the petition, contact: Robyn Barineau, Executive Director, at the above-referenced address, or at telephone number (850)487-8197.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN THAT on January 6, 2010, the Florida Department of Health, Division of Medical Quality Assurance, received a petition for emergency waiver from Walgreen Co., 104 Wilmot Road, Deerfield, IL 60015, pursuant to Section 120.542, F.S. Petitioner is seeking an emergency waiver from subsection 64B-1.003(9), F.A.C., as to

the thirty (30) day re-test requirement. Petitioner intends for one of its employees to qualify as a Certified Designated Representative.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ferronda Burke, Regulatory Program Administrator, Department of Health, 4052 Bald Cypress Way, Bin #C90, Tallahassee, FL 32399-1703.

NOTICE IS HEREBY GIVEN THAT on December 28, 2009, the Board of Acupuncture, received a petition for waiver or variance filed by Natalie Anne Doliner, seeking a waiver or variance of Rule 64B1-4.0011, F.A.C., with respect to the necessary documents for licensure application. Petitioner requests that the education credits she received at the Florida College of Integrative Medicine be allowed to satisfy to requirements of Rule 64B1-4.0011, F.A.C.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kaye Howerton, Executive Director, at the above-referenced address, or at telephone number (850)245-4161. Comments on this petition should be filed with the Board of Acupuncture, 4052 Bald Cypress Way, Bin #C01, Tallahassee, FL 32399-3256, within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on January 13, 2010, the Board of Medicine, received a petition for waiver or variance filed by Mohamad Isam Abdelazim, M.D., from subsection 64B8-4.009(5), F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. Comments on this petition should be filed with: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

NOTICE IS HEREBY GIVEN THAT on December 28, 2009, the Department of Children and Families, received a petition for waiver of subsection 65C-15.010(3), F.A.C., from Axis Adoption & Consulting Services, Inc., assigned Case No.: 09-043W. Subsection 65C-15.010(3), F.A.C. requires a licensed child-placing agency to annually obtain an audit of its financial records.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd. Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

**FLORIDA HOUSING FINANCE CORPORATION**

NOTICE IS HEREBY GIVEN THAT on January 13, 2010, the Florida Housing Finance Corporation, received a petition for Waiver of Part III.D.1.f. of the 2006 Rental Recovery Loan Program Instructions to Provide Specific Features in Units Developed for Elderly Residents from Village Allapattah Phase II, LLC. The petition is seeking a waiver of the requirement to provide specific flooring in units developed for elderly residents.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Della Harrell, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website at www.florida housing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

**BROWARD COUNTY PERMITTING, LICENSING AND CONSUMER PROTECTION**

NOTICE IS HEREBY GIVEN THAT on December 22, 2009, the Broward County Elevator Section, received a petition for an emergency temporary variance until December 20, 2012, in order to raise funds and have the work performed necessary to bring elevators into compliance with ASME A17.3, Rules 2.7.4 & 3.11.3, pertaining to Fire Control Operations, from Lee Rigby on behalf of Fairbanks North Condo of Pompano Beach. A copy of the Petition for Variance or Waiver may be obtained by contacting: Richard S. Walter, Elevator Section Supervisor, Broward County, Permitting, Licensing & Consumer Protection Division, 1 North University Drive, Plantation, Florida 33324.

**Section VI**

**Notices of Meetings, Workshops and Public Hearings**

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
- Financial Services Commission
- Department of Veterans' Affairs
- Department of Highway Safety and Motor Vehicles
- Department of Law Enforcement
- Department of Revenue
- Department of Education