

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 Jeanne Tiedeman, Petitioner, In Re: Tymber Skan on the Lake Owners Association, Section Three, Inc., Docket No. 2009011717 on February 27, 2009. The petition seeks the agency's opinion as to the applicability of Section 718.103(2), Florida Statutes, subject to regulation under Condominium Act, Chapter 718, Florida Statutes as it applies to the petitioner.

Whether Tymber Skan on the Lake Owners Association, Section Three, Inc. is a condominium association as defined by Section 718.103(2), Florida Statutes, subject to regulation under Condominium Act, Chapter 718, Florida Statutes.

A copy 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 32399-1031.

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.

**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 the Department of Health has issued an order disposing of the petition for declaratory statement filed by Warren R. Ross, Esq., on behalf of Carl and Diane Baker on December 11, 2008. The following is a summary of the agency's disposition of the petition:

Petitioners contend that they are entitled to an exemption from the requirements that they have a third party maintenance entity inspect and maintain their system, and seek a determination from the Department that they are exempt from the requirements as set forth in the Petition and all related statutes. The exemption in Section 381.0065(4), Florida Statutes, however, applies only to the contractor registration requirements established in Part III of Chapter 489, Florida Statutes, and the rules promulgated thereunder. This statutory

exemption has allowed homeowners to maintain and repair the onsite sewage treatment and disposal system that serves their own, owner-occupied single family residence. The exemption does not relieve homeowners from other requirements imposed by law. Accordingly, upon a showing to the Department that Petitioners meet non-registration requirements imposed by law, in particular the provisions of paragraphs (4)(a)-(c), of Rule 64E-6.012, Florida Administrative Code, Petitioners may, in lieu of entering into a maintenance agreement with an approved maintenance entity, maintain and repair the onsite sewage treatment and disposal system serving their owner-occupied single-family residence located in Punta Gorda, Florida. Among other conditions, the non-registration requirements also include an annual inspection of Petitioners' aerobic treatment unit by the Department.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703.

Please refer all comments to: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703.

**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:**

**NONE**

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

**NONE**

**Section IX**  
**Notices of Petitions and Dispositions**  
**Regarding Non-rule Policy Challenges**

**NONE**