

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

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a Petition for Declaratory Statement In Re: Petition for Declaratory Statement, Wimbledon Townhouse Condominium III Association, Inc.; Docket No. 2005047257.

Whether Section 718.111(6), F.S., permits an association that operates many condominiums to operate on a hybrid basis, meaning all financial matters common amongst the many condominiums would be operated as a single condominium, while certain financial matters that are unique to only one condominium (specifically, reserve accounts and nonroutine capital expenditures) would operate on an independent basis so as to avoid any inequities that may arise.

A copy of the Petition for Declaratory Statement, Docket Number 2005047257, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums 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 Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Construction Industry Licensing Board hereby gives notice that it has issued a Final Order on the Petition for Declaratory Statement filed on July 19, 2005, by Jacqueline Watts. The Board reviewed the Petition at its meeting held on August 12, 2005, in Ponte Vedra Beach, Florida. The Board's Final Order, filed in this cause on September 8, 2005, gives the following answers to the questions outlined in the Petition:

- A. Yes, the venting of carbon monoxide is within the scope of Class "A" Air Conditioning, Class "B" Air Conditioning, and Mechanical Contracting licenses;
- B. Yes, the connecting and disconnecting of LP Gas appliances, during changeouts, installation, or service, is within the scope of a plumbing contractor's license; and
- C. The installation and service of post-regulator piping is within the scope of a plumbing contractor's license. Whether the piping is "outdoor" is not relevant to the analysis.

A copy of the Petition and the Board's Final Order may be obtained by contacting: Construction Industry Licensing Board, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039.

The Florida Real Estate Commission hereby gives notice that it has received a Petition for Declaratory Statement filed on September 16, 2005, by Jennifer L. DeSantis, Esquire, on behalf of DeSantis Commercial, Inc. Petitioner seeks the Commission's interpretation of the application of Sections 475.11(2) and 475.41, F.S. Specifically, Petitioner seeks the Board's interpretation as to whether an individual exempt under Section 475.11(2), F.S., at the time he procures an executed contract for sale, is paid a salary; but, if that individual becomes a licensed real estate sales associate prior to the closing of that contract, is the individual entitled to a commission or other compensation on a transactional basis, or does Section 475.41, F.S., preclude same? If no commission is payable, can payment continue on a salary basis?

The Board will consider this petition at its meeting scheduled for October 18-19, 2005, in Orlando, Florida. Copies of the petition may be obtained by writing: Lori Crawford, Deputy Clerk, Florida Real Estate Commission, Department of Business and Professional Regulation, 400 W. Robinson Street, Suite N-801, Orlando, FL 32801-1757.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

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 Service Agreement vs. Financial Service Commission, Office of Insurance Regulation; Case No.: 05-3342RP; Rule No.: 69O-138.002

Frank M. Bafford, Sr. vs. Florida Commission on Human Relations; Case No.: 05-3294RU

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

Florida Education Association vs. Florida State Board of Education; Case No.: 05-0813RU; Dismissed

Volusia Home Builders Association, Inc. vs. Volusia County School Board; Case No.: 05-1507RU; Closed