

Holly Benson, Secretary

Charlie Crist, Governor

January 2, 2008

Mr. Harvey Finkel
10185 Collins Avenue #417
Bal Harbour, Florida 33154

Re: **The Association For The Plaza of Bal Harbour Condominium, Inc.**
Case No. 2007068045

Dear Mr. Finkel:

As discussed in our January 2, 2008, telephone conversation, I have completed my review of the complaint, which you filed against the Association.

Your complaint expressed the following concern:

The Association allowed a unit owner to submit a candidate information sheet that appeared to be a communication by the board endorsing a number of candidates, and provided favorable comments on the candidates mentioned in the information sheet.

This matter has been reviewed by this office and was also reviewed by members of the Division's management. In addition, an affidavit was received by the Division on December 28, 2007 indicating that the information sheet in question was Mr. Litvak's personal submission, unrelated to the Association. Therefore, it was determined that the publication in question was an information sheet submitted by candidate Mark Litvak. Additionally, it was noted that the publication was not printed on Association letterhead and no wording was used that indicated the sheet was from the Association.

As the Florida Administrative Code states that the Association is not permitted to edit, alter or otherwise modify the content of the information sheet; the information sheet had to be sent to all unit owners as presented.

As such, no violation of the Condominium Act has been demonstrated and the Division is unable to consider this matter further. The Association is now able to proceed with the election of directors. This case shall now be closed.

We appreciate you bringing your concerns to our attention and thank you for the opportunity to have been of service. If you have additional questions or concerns please contact me at 954.202.3982, Extension #207. If you have general questions about condominiums, please contact our Customer Contact Center at 1.800.226.9101.

Sincerely,



Henry J. Carroll
Investigation Specialist II
BUREAU OF COMPLIANCE – MIAMI SECTION