

February 12, 2024

James C. Turffs, Esq.
Tannenbaum, Lemole & Hill
614 S Tamiami Trail
Osprey, Florida 34229-9216

**Re: Myakka Valley Ranches Improvement Association, Inc. –
Myakka Valley Ranches Unit III Subdivision; Denial
Determination Number: 24024**

Dear Mr. Turffs:

The Florida Department of Commerce¹ (Commerce) has completed its review of the Proposed Revived Declaration (Declaration) for the Myakka Valley Ranches Improvement Association, Inc. – Myakka Valley Ranches Unit III Subdivision (Association) and has determined that the documents fail to comply with the requirements of Chapter 720, Part III, Florida Statutes. Therefore, the proposed revitalization of the Association’s Declaration and other governing documents is denied.

The reasons for the denial are:

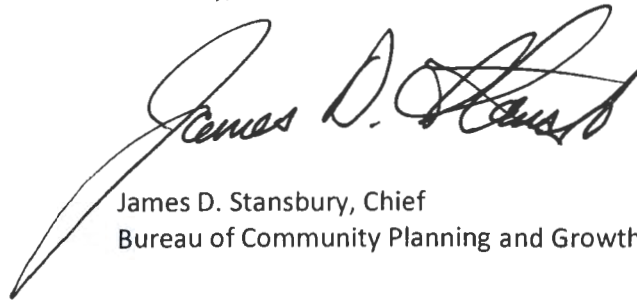
1. Section 720.405(1), Florida Statutes, requires the proposal to revive a declaration of covenants and an association for a community under the terms of this act shall be initiated by an organizing committee of not less than three parcel owners located in the community that is proposed to be governed by the revived declaration. The name, address, and telephone number of each member of the organizing committee must be included in any notice or other document provided by the committee to parcel owners to be affected by the proposed revived declaration. The notices provided to the affected parcel owners from the organizing committee did not include the name, address, and telephone number of each organizing committee member.
2. Section 720.405(6), Florida Statutes, requires a majority of the affected parcel owners to agree in writing to the revived declaration of covenants and governing documents of the association or approve the revived declaration and governing documents by a vote at a meeting of the affected parcel owners noticed and prescribed by s. 720.306. Proof of notice of the meeting to all affected owners of the meeting and the minutes of the meeting recording the votes of the property owners must be certified by a court reporter or an attorney licensed to practice in the state. A certified copy of the minutes for the October 14, 2023, or the

¹ On July 1, 2023, the Florida Department of Economic Opportunity was renamed to the Florida Department of Commerce (“Commerce”). Effective July 1, 2023, all references to “Department of Economic Opportunity” or “DEO” are hereby replaced with “Florida Department of Commerce” or “Commerce,” as appropriate.

November 11, 2023 meeting was not included within the submission to the Commerce. In addition, the submission to Commerce did not include an affidavit by a court reporter or an attorney licensed to practice in the state certifying the proof of notice of the meetings and the minutes of the meeting recording the votes of the property owners.

If you have any questions concerning this matter, please contact the Florida Department of Commerce, Office of the General Counsel, at (850) 245-7150.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/bp/rm

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS DETERMINATION HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, BY FILING A PETITION.

A PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE FLORIDA DEPARTMENT OF COMMERCE WITHIN 21 CALENDAR DAYS OF RECEIPT OF THIS DETERMINATION. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK
FLORIDA DEPARTMENT OF COMMERCE
OFFICE OF THE GENERAL COUNSEL
107 EAST MADISON ST., MSC 110
TALLAHASSEE, FLORIDA 32399-4128
FAX 850-921-3230
AGENCY.CLERK@COMMERCE.FL.GOV

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF RECEIPT OF THIS DETERMINATION.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES.

PURSUANT TO SECTION 120.573, FLORIDA STATUTES, AND CHAPTER 28, PART IV, FLORIDA ADMINISTRATIVE CODE, YOU ARE NOTIFIED THAT MEDIATION IS NOT AVAILABLE.