

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES

IN RE: PETITION FOR RECALL ARBITRATION

UNIT OWNERS VOTING FOR RECALL

Petitioner

Unit-Owners Representative:

Claudia Richards

2106 Sherwood Forest Blvd # 17

West Palm Beach, Florida 33415

Telephone 561-889-1502

v.

Case No. _____
(To be assigned by Division)

Andres Villegas. President

QUAIL HOLLOW CONDOMINIUM ASSOCIATION, INC.

2140 SHERWOOD FOREST BLVD #9

WEST PALM BEACH FL 33415

Respondent.

MOTION TO CERTIFY RECALL PETITION

21 recall petitions were served on president Andres Villegas on July 29, 2008 at 4:45 pm by Majestic Process 1008 North Lakeside Drive, Lake Worth, Florida 33460 Process server Laurie Witkin, Process Server #576 in Good Standing, 15th Circuit Court, Palm Beach County, Florida.

Andres Villegas – President of association never held a recall meeting as required by Florida statutes, instead mailed out a letter – see attached.

Petitioner hereby asks the arbitrator to certify the recall according to Florida Administrative Code 61B-23.0027(7)

1. The name of the association is:

Quail Hollow Condominium Association, Inc.

2134 Sherwood Forest Blvd.

West Palm Beach Florida 33415

2. The Name of Association Attorney is:

Spencer Gollahon Howard K Coates, Jr

Chancellor Corporate Center

12012 S Shore Blvd, Suite 107

Wellington FL 33414

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3. The total number of units in the association is 36.
4. The total number of seats in the association's board of directors is 3 .
5. The names of the Board members against whom the WRITTEN RECALL AGREEMENT / BALLOT was directed is
Andres Villegas - President with 21 recall votes.
6. The date(s) of the next regularly scheduled election for the seat(s) of the board member(s) being recalled is/are February 2009
7. Unit owner(s) representative reference in recall agreement
Claudia Richards
2106 Sherwood Forest Blvd # 17
West Palm Beach, Florida 33415
Telephone 561-889-1502 .
8. The Recall was done by written agreement. The written recall agreement was received by the board on (date) July 29, 2008 at 4:45 p.m. delivered by Process server Laurie Witkin that is a Process Server #576 on Good Standing, 15th Circuit Court, Palm Beach County, Florida. A copy of the process server and written recall are attached and made a part of the petition.
9. The board determined not to hold a meeting "Concerning a Recall by Written Agreement", the board ignored the deliver of the Copy of the Written Recall Agreement Ballots from process server and call owners process an "incident in the association", in an letter to Owners of Quail Hollow Condominium Association July 29, 2008 (letter attach and made part of the petition)
10. No Meeting Concerning Recall ballots -- no minutes recorded.
11. Copy of all 21 written recall ballots will be added to this petition.

WHEREFORE, petitioner requests that the arbitrator enter a final order to certify the recall.

Dated this _____ day of _____ 2008

Submitted by:

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES

Enclosure:

Check for \$50 arbitration fee

Affidavit Process server

Copy of Villegas letter dated July 29, 2008

Copies of 21 recall ballots