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

IN RE: PETITION FOR RECALL ARBITRATION

_____,
Petitioner (*name of association filing petition),*

v. Case No. _____
(To be assigned by Division)

UNIT OWNERS VOTING FOR RECALL,

Respondent.
_____/

RECALL ARBITRATION PETITION
(for contesting a recall by written agreement)

The original of this recall arbitration petition form, which shall be accompanied by a $50.00 filing fee and one copy for the respondent, shall be mailed (and may be faxed) to:

Department of Business and
Professional Regulation
Attn: Arbitration Section
1940 North Monroe Street
Tallahassee, FL 32399-1029
Fax: 850-487-0870

The petitioner shall attach a complete copy of the bylaws, articles of incorporation, declaration of condominium or cooperative documents, and rules, including any amendments to each, as well as any other documents that are pertinent to the petition.

The petitioner files this recall arbitration petition in accordance with Chapter 61B-50, Florida Administrative Code (specifically Rule 61B-50.105(2), Florida Administrative Code), and states as follows:

1. The name of the association is _____.

2. The name and address of the association's qualified representative or attorney is:

_____

_____

_____

3. The total number of voting interests in the association is _____.

4. The total number of seats on the association's board of directors is _____.

5. The names of the board members against whom the written recall agreement was directed and the total number of votes to recall each board member are:

a. _____ ____ b. _____ ____

c. _____ ____ d. _____ ____

6. The date(s) of the next regularly scheduled election for the seat(s) of the board member(s) being recalled is/are _____.

7. The name, address, and telephone number (if known) of the unit owners' representative referenced in the recall agreement is:

_____

_____

_____

8. The attempted recall was by written agreement. The written recall agreement was received by the board on _____ at _____ a.m./p.m. A copy of the written recall agreement is attached to the petition as Composite Exhibit 1 and made a part of the petition.
(date)

9. The board determined not to certify the recall at a meeting held on _____. The meeting was called to order at _____a.m./p.m., and adjourned at _____ a.m./p.m. A copy of the minutes of the board meeting is attached as Composite Exhibit 2.
(date)

10. As reflected in the minutes of the board meeting, or in any resolution adopted by the board at the meeting, the board determined to not certify the recall because: *(list <u>each</u> specific vote rejected by the board and each specific basis upon which the board at the board meeting based its determination to reject the vote and not certify the recall).*

A copy of each supporting document, such as voting certificates or signature samples that were considered by the board in rejecting individual written agreements, is attached as Composite Exhibit 3.

WHEREFORE, petitioner requests that the arbitrator enters a final order upholding the decision not to certify the recall.

DATED this _____ day of _____ 200_____.

Submitted by:

_____

_____

_____

_____
(Signed)