

**NOTICE OF PROPOSED RULE DEVELOPMENT**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Florida Condominiums, Timeshares, and Mobile Homes

Rule No.:	Rule Title:
61B-21.001	Definitions and Purpose.
61B-21.002	Educational Resolution.
61B-21.003	Enforcement Resolution and Civil Penalties.

**PURPOSE AND EFFECT:** The amendments are intended to make the condominium association resolution guidelines consistent with the 2008 revised legislation affecting the Division’s jurisdiction, and the experience gained in applying the rules since their adoption in 1998.

**SUBJECT AREA TO BE ADDRESSED:** The amendments clarify the definition of an accepted complaint; who has standing to file a complaint; and the change in jurisdiction over post-turnover associations. The rule amendments also provide a uniform system for applying aggravating and mitigating factors; re-word descriptions for clarity; increase some minor violations to major violations; add new statutory citations to the list of described violations; and remove some statutory citations from the list of described violations.

**RULEMAKING AUTHORITY:** 718.501(1)(d)6.,(f), FS.

**LAW IMPLEMENTED:** 455.2273, 718.501(1)(a),(b),(d)6.,(j), FS.

**IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW.**

**TIME AND DATE:** September 14, 2009 at 10:00 a.m.

PLACE: The Northwood Centre, Suite 16, Conference Room, 1940 North Monroe Street, Tallahassee, Florida.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop by contacting Sharon A. Malloy, Senior Management Analyst II, at 850-488-1631. If you are hearing or speech impaired, please contact the agency by calling 1-800-955-8771.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sharon A. Malloy, Senior Management Analyst II, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030. The preliminary draft rule is also available on line at <http://www.myflorida.com/dbpr/lsc/LSCMHRulePromulgation.html>.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.