



**DIVISION OF FLORIDA LAND SALES,  
CONDOMINIUMS AND MOBILE HOMES**

**QUARTERLY REPORT**

**3rd Quarter FY 2007-2008**



**Chuck Drago**, Interim Secretary

**Charlie Crist**, Governor

April 18, 2008

Dear Interested Parties:

As required by the 2007-2008 General Appropriations Act (SB2800), the Division of Florida Land Sales, Condominiums and Mobile Homes' third quarterly report for fiscal year 2007-2008 is attached. This report details the division's enforcement of the laws governing the development, construction, sale, lease, ownership, operation and management of residential condominium units under Chapter 718, Florida Statutes.

The report covers the quarterly period from January through March 2008 and includes 15 quarters of cumulative data. The back-up statistical reports are included with this compact disc.

As required, the report includes the following items:

1. The number of training programs provided for condominium association board members and unit owners.
2. The number of complaints received by type.
3. The number and percent of complaints acknowledged in writing within 30 days as required by section 718.501(1) (m), Florida Statutes.
4. The number and percent of investigations acted upon within 90 days as required by section 718.501(1) (m), Florida Statutes.
5. The number of investigations that are in excess of the 90-day requirement with reasons why they required more than 90 days to close.
6. Non-jurisdictional complaints to determine if statutory changes are warranted.
7. Caseloads and evaluated core business processes associated with complaint handling.
8. Core business processes associated with complaint handling, in order to determine improvements in response time and efficiencies in the complaint review process.
9. Recommendations for making such statutory changes in its quarterly reports.

The department will continue to monitor the division's complaint handling process to identify improvements in the response time or other efficiencies which can be achieved or maximized.

We strive to continuously improve the level of service provided to Florida's condominium residents.

Sincerely,



Mike Cochran, Director

**1. Number of training programs for condominium association board members and unit owners.**

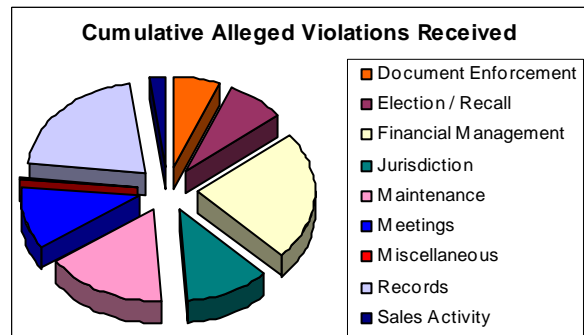
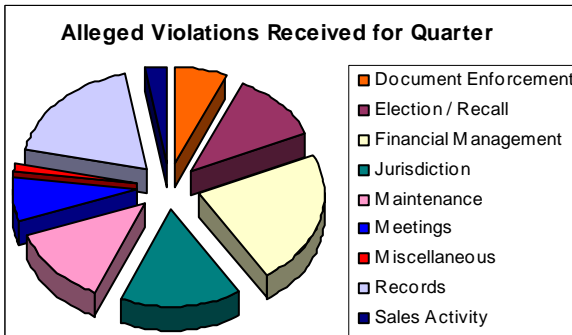
All training classes for condominium boards and unit owners are provided by the Community Associations Institute (CAI) under the contract with the Department. This quarter 26 classes were conducted with 779 participants. Since winning the first bid in 2001, CAI has conducted classroom-based classes for 17,530 board members and unit owners, and registered 2,218 students for internet-based study. Surveys completed by attendees show that over 99 percent rated the courses outstanding, very good or good. The Division continues to provide training materials online and averages over 20,000 mailings of requested reference and educational materials per year. This quarter the Division has distributed over 505 educational compact discs, including 45 Spanish versions.

**2. Number of condominium complaints received by type.**

Chapter 718, Florida Statutes, does not categorize complaints by “type.” Accordingly, the Division does not register complaints by type, but does maintain the alleged violations cited in complaints in an accessible database. Complaints are grouped in nine broad categories to allow for a greater understanding of the wide range of violations that are received.

A total of 694 complaints, which contained 839 alleged violations, were received this quarter.

A total of 9,069 complaints, which contained 14,551 alleged violations, were received during the cumulative reporting period (15 quarters).



**Alleged Violation Categories for Quarter:**

Document Enforcement	57	6.79%
Election/Recall	96	11.44%
Financial Management	189	22.53%
Jurisdiction	133	15.85%
Maintenance	109	12.99%
Meetings	65	7.75%
Miscellaneous	8	0.95%
Records	159	18.95%
Sales Activity	23	2.74%

Total Allegations 839

**Cumulative Alleged Violation Categories:**

Document Enforcement	920	6.32%
Election/Recall	1,198	8.23%
Financial Management	3,316	22.79%
Jurisdiction	1,697	11.66%
Maintenance	2,428	16.69%
Meetings	1,561	10.73%
Miscellaneous	79	0.54%
Records	3,017	20.73%
Sales Activity	335	2.30%

Total Allegations 14,551

**3. Number and percent of complaints acknowledged in writing within 30 days as required by section 718.501(1)(m), Florida Statutes.**

Section 718.501(1)(m), Florida Statutes, requires that the Division must acknowledge the complaint in writing within 30 days after receipt of a complaint. This acknowledgment notifies the individual as to whether their complaint is within the Division's jurisdiction, and if so, requests any necessary additional information.

There were 694 complaints received this quarter, 16 of which were initiated by the division. Of the remaining 678 complaints, 668 were acknowledged within the 30-day threshold.

There have been 9,069 complaints received since July 1, 2004. Two hundred sixteen of the 9,069 were initiated by the division. Of the remaining 8,853 complaints, 8,711 were acknowledged within the 30-day threshold.

**668 of 678 (99%) for Quarter. 8,711 of 8,853 (98%) for Cumulative Reporting Period.**

**4. Number and percent of complaints acted upon within 90 days, as required by section 718.501(1)(m), Florida Statutes.**

All complaints (100%) were acted upon within the 90-day requirement. A complaint is acted upon when received and includes entering the complaint into our case tracking system, acknowledging the complaint in writing, and contacting the complainant by telephone within 24-48 hours.

However, for reporting purposes and consistent with chapters 61B-20 and 21, Florida Administrative Code, we report only those complaints that have been resolved by issuing an information letter, warning letter, or an administrative action which includes consent orders or notices to show cause.

Of the 9,069 complaints received on or after July 1, 2004, 5,446 were acted upon in 90 days or less, and 1,007 complaints remained awaiting major action after 90 days.

**5,446 of 9,069 (60%) Resolved Within 90-Days, During the Cumulative Reporting Period.**

**5. The number of complaints in excess of the 90-day requirement with the reasons that the complaints required more than 90 days.**

There were 3,066 investigations which exceeded the 90-day threshold during the cumulative reporting period. 2,059 of these investigations were acted upon and 1,007 are awaiting action. The majority of cases in excess of the 90-day period are very complex complaints; complaints with multiple alleged violations; or complaints where there were difficulties in gathering evidence.

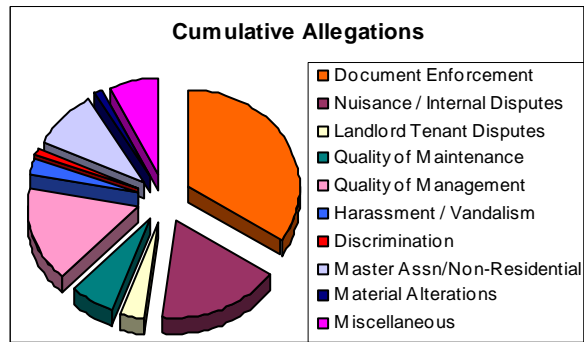
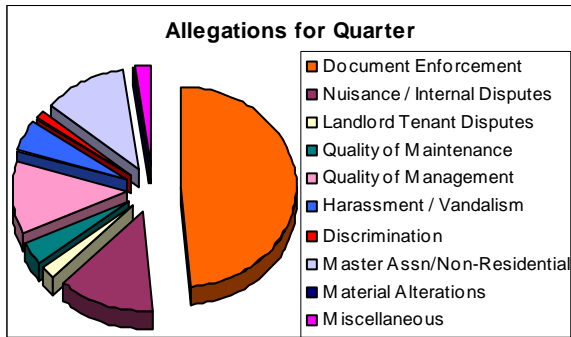
**3,066 of 9,069 (33%) Exceeded 90-Day Threshold During the Cumulative Reporting Period.**

**6. Number of non-jurisdictional complaints received and determination of whether statutory changes are warranted.**

The Division has identified 10 primary areas of alleged non-jurisdictional violations for complaints received after July 1, 2004, as noted below. While the Division lacks enforcement jurisdiction in these matters, every effort is made to assist the complaining party by referring the complaint to the appropriate state agency or, in the case of community association managers, to the Division of Regulation within the Department. The numbers below add up to more than the complaints received for this period as there can be more than one alleged violation within a complaint.

127 non-jurisdictional complaints with 138 alleged violations were processed this quarter.

Since July 1, 2004, there have been 1,891 non-jurisdictional complaints with 2,170 alleged violations.



**Alleged Violations for Quarter:**

Document Enforcement	67	48.55%
Nuisance/Internal Disputes	19	13.77%
Landlord/Tenant Dispute	3	2.17%
Quality of Maintenance	5	3.62%
Quality of Management	16	11.59%
Harassment/Vandalism	7	5.07%
Discrimination	2	1.45%
Master Assn/Non-Residential	16	11.59%
Material Alterations	0	0.00%
Miscellaneous	3	2.17%
<b>Total</b>	<b>127</b>	

**Cumulative Alleged Violations:**

Document Enforcement	744	34.29%
Nuisance/Internal Disputes	389	17.93%
Landlord/Tenant Dispute	74	3.41%
Quality of Maintenance	141	6.50%
Quality of Management	347	15.99%
Harassment/Vandalism	62	2.86%
Discrimination	24	1.11%
Master Assn/Non-Residential	209	9.63%
Material Alterations	25	1.15%
Miscellaneous	155	7.14%
<b>Total</b>	<b>2,170</b>	

**7. The department shall monitor caseloads, timeliness of responses to complaints, and investigations and prepare an analysis of the resources and staffing required by the Division of Land Sales, Condominiums and Mobile homes to maintain compliance with the requirements of section 718.501, Florida Statutes.**

The Division continues to monitor investigator caseloads. As stated in our previous report, it is too soon after the implementation of the new investigative process to provide an analysis of the required resources and staffing.

**8. In addition, the department shall evaluate core business processes associated with complaint handling, in order to determine improvements in response time and efficiencies in the complaint review process.**

The Division continues to evaluate our core business processes to improve our quality of service and make necessary improvements to our investigative process to increase contact with our customers while streamlining the investigative timeline.

**9. The department shall include any recommendations for making such statutory changes in its quarterly reports.**

The Division doesn't have any recommended changes at this time.