

Re: Petition for Declaratory Statement, Anthony Caccano, Petitioner, Maya Marca Condominium Apartments, Inc.; Docket Number 2005059640.

Anthony Caccano’s petition asking whether Maya Marca Condominium Apartments, Inc. must provide access to its official records on condominium property instead of at the offices of its management company was denied because it addressed the association’s past conduct.

A copy of the Order Denying Petition for Declaratory Statement, Docket Number 2005059640, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued a Declaratory Statement In Re: Petition for Declaratory Statement, Jerry L. Robertson, Unit Owner, Cortez Villas Property Association, Inc., Docket Number 2005056839.

The Division declares that Section 718.112(2)(k), F.S., requiring condominium bylaws to include nonbinding arbitration applies to the 1973 declaration of covenants and restrictions for Cortez Villas Property Association; however, the Association does not have to adopt a bylaw to include a provision for condominium arbitration since one is deemed by statute to be included.

A copy of the Declaratory Statement, Docket Number 2005056839, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a Petition for Declaratory Statement In Re: Petition for Declaratory Statement, Old Port Cove Property Association, Inc., Patrick J. Carr, Petitioner; Docket Number 2005065883.

Whether Old Port Cove Property Owners Association, Inc. is a condominium master association as defined by Section 718.103(2), F.S.; and (2) whether the association’s proposed entrance landscaping improvement is a material alteration or substantial improvement to the common elements requiring a 75% vote of the unit owners under Section 718.113(2), F.S..

A copy of the Petition for Declaratory Statement, Docket Number 2005065883, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**