

declaration as the interpretation of contracts is strictly a judicial function; or the Division may not issue a declaratory statement without reviewing all of the documents.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, 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 Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Gloria Ellinwood, acting on behalf of Florence Haellick, Petitioner/Unit Owner, In Re: Covington Court, Mount Vernon, and Hermitage, a condominium, on November 10, 2009. The following is a summary of the agency's declination of the petition:

The Division declined to issue a declaratory statement because the Division cannot issue a declaratory statement concerning events that have already taken place; or because a declaratory statement is not the proper forum to resolve issues of fact.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, 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 Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Gary Latham, Petitioner, In Re: Crane's Roost Village Condominium Association, Inc., Docket No.: 2009058766 on November 13, 2009. The following is a summary of the agency's declination of the petition:

The Division declined to issue a declaratory statement because the Division may not issue a declaratory statement concerning events that have already occurred; or when there are facts in dispute; or when there are facts in dispute; or where there are unit owners who will be affected by the decision and who are not parties to the petition; or where the Division has not

received a complete current set of governing documents and may not issue a declaratory statement without reviewing such documents.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, 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 Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT on October 28, 2009, the Electrical Contractors' Licensing Board has received the petition for declaratory statement from Roy E. Dezem, Esquire, on behalf of Brite Lite Service Co., Inc. The petition seeks the agency's opinion as to the applicability of Section 489.505(19), F.S. and subsection 61G6-7.001(2), F.A.C. as it applies to the petitioner.

The petition seeks the Board's interpretation of Section 489.505(19), F.S. and subsection 61G6-7.001(2), F.A.C., as to whether the contractor has to be licensed as a Specialty Contractor in order to install and maintenance electrical advertising signs.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <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:

Robert Guzman vs. Department of Legal Affairs and Department of Agriculture and Consumer Services; Case No.: 09-5629RX; Rule Nos.: 2-30.001, 5J-11.008

Gamestop, Inc. vs. Department of Revenue; Case No.: 09-5759RX; Rule No.: 12A-1.074

Florida Justice Institute, Inc. vs. Department of Corrections; Case No.: 10-0457RP; Rule No.: 33-401.701

City of Tampa vs. Southwest Florida Water Management District; Case No.: 09-6525RP; Rule No.: 40D-2.322(2)

Palm City Civic Organization, Inc. vs. South Florida Water Management District; Case No.: 10-0337RX; Rule No.: 40E-0.109(1)(a)

Florida Association of Area Agencies on Aging, Inc. vs. Department of Elder Affairs; Case No.: 09-7017RP; Rule No.: 58C-1.0031

Florida Healthcare Association, Inc., and Floridean Nursing Home, Inc. vs. Department of Elder Affairs; Case No.: 09-6586RP; Rule No.: 58L-1.008

Florida Association of Homes and Services for the Aging, Inc. Vs. Department of Elder Affairs, Office of State Long Term Care Ombudsman; Case No.: 09-6587RP; Rule No.: 58L-1.008

Florida Assisted Living Affiliation, Inc. d/b/a Florida Assisted Living Association vs. Department of Elder Affairs, Office of State Long Term Care Ombudsman; Case No.: 09-6588RP; Rule No.: 58L-1.008

St. Johns Riverkeeper, Inc. and Henry O. Palmer vs. Department of Environmental Protection; Case No.: 09-7054RX; Rule No.: 62-302.800(2)

Ramidass Ramphal, Lucia Calventi, Janice Wright, and Esmeralda Cruz vs. Department of Children and Family Services; Case No.: 09-6125RP; Rule No.: 65A-1.900

Kissimmee River Valley Sportsman Association, Inc. vs. South Florida Water Management District; Case No.: 09-6150RE; Rule No.: 62-402.070

MDG Capital Corporation, Prime Homebuilders, Legacy Pointe, Inc., and Villa Capr, Inc. vs. Florida Housing Finance Corporation; Case No.: 09-6585RX; Rule Nos.: 67ER09-6, 67ER09-7, 67ER09-8, 67ER09-9, 67ER09-10

Payroll Management, Inc. vs. Department of Financial Services, Division of Workers' Compensation; Case No.: 09-6724RP; Rule Nos.: 69L-5.209(1)(a)3., 69L-5.215, 69L-5.218, 69L-5.225, 69L-5.226

Fairpay Solutions, Inc. vs. Department of Financial Services, Division of Workers' Compensation; Case No.: 09-6511RP; Rule No.: 69L-7.501

Marion Community Hospital, Inc., d/b/a Ocala Regional Medical Center and Columbia Hospital (Palm Beaches) Limited Partnership, d/b/a Columbia Hospital vs. Department of Financial Services, Division of Workers' Compensation; Case No.: 09-6526RP; Rule No.: 69L-7.501

Florida Hospital Association, Inc. vs. Department of Financial Services, Division of Workers' Compensation; Case No.: 09-6527RP; Rule No.: 69L-7.501

Walter G. Kozak, d/b/a Gunny's Intrastate Travel and Tours vs. Hillsborough County Public Transportation Commission; Case No.: 09-3152RX

City of Pembroke Pines vs. Broward County School Board; Case No.: 09-5626RU

C.M. vs. Agency for Persons with Disabilities; Case No.: 09-5878RU

Anthony B. Lewis, M.D. vs. Board of Medicine; Case No.: 09-6959RU

Woody Drake Advertising, Inc. vs. Department of Transportation; Case No.: 09-6971RU

Mariner Properties Development, Inc., and Little Pine Island Wetlands Mitigation Bank, Ltd. vs. Southwest Florida Water Management District; Case No.: 09-6937RU

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

Library Systems and Services, L.L.C. vs. Department of State, Division of Library and Information Services and The Florida Library Association (Intervenor); Case No.: 09-4289RP; Rule No.: 1B-2.011; Dismissed

Robert Guzman vs. Department of Legal Affairs and Department of Agriculture and Consumer Services; Case No.: 09-5629RX; Rule Nos.: 2-30.001, 5J-11.008; Dismissed

Classical Christian Academy, School Number 4614 vs. Department of Education; Case No.: 09-5250RX; Rule No.: 6A-6.03315(1)(c); Voluntarily Dismissed

Maryland Fried Chicken of Union Park, Inc. vs. Department of Revenue; Case No.: 09-4317RX; Rule No.: 12A-1.060(6); Dismissed

Susan Nagelsen vs. Florida Parole Commission; Case No.: 09-5354RU; Rule Nos.: 23-21.015(9), 23-21.0155, 23-21.0161; Withdrawal

Della Christie vs. Department of Corrections; Case No.: 09-2312RP; Rule No.: 33-401.701; Valid, except paragraphs (10)(h), (10)(i), which are Invalid

Seven Springs Water vs. Suwannee River Water Management District; Case No.: 09-4940RP; Rule No.: 40B-2.301(3); Voluntarily Dismissed

City of Tampa vs. Southwest Florida Water Management District; Case No.: 09-6525RP; Rule No.: 40D-2.322(2); Voluntarily Dismissed

Deborah Bohler vs. Department of Management Services, Division of Retirement; Case No.: 09-3350RX; Rule No.: 60S-9.001; Dismissed

Brooklyn Luncheonette, LLC, d/b/a Del Tura Pub and Restaurant vs. Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco; Case No.: 09-1973RX; Rule No.: 61A-3.0141(1) and (2); Invalid

Kissimmee River Valley Sportsman Association, Inc. vs. South Florida Water Management District; Case No.: 09-6150RE; Rule No.: 62-402.070; Dismissed

Payroll Management, Inc. vs. Department of Financial Services, Division of Workers' Compensation; Case No.: 09-6724RP; Rule Nos.: 69L-5.209(1)(a)3., 69L-5.215, 69L-5.218, 69L-5.225, 69L-5.226; Withdrawal

Service Insurance Company vs. Office of Insurance Regulation and Financial Services Commission; Case No.: 09-3042RX; Rule No.: 69O-170.105(1)(d); Invalid

Pronational Insurance Company; The Medical Assurance Company, Inc; and Red Mountain Casualty Insurance Company, Inc. vs. Financial Services Commission and Office of Insurance Regulation; Case No. 06-1142RP; Rule No.: 69O-171.009; Voluntarily Dismissed

Walter G. Kozak, d/b/a Gunny's Intrastate Travel and Tours vs. Hillsborough County Public Transportation Commission; Case No.: 09-3152RX; Voluntarily Dismissed

Coventry First, LLC vs. Office of Insurance Regulation and Financial Services Commission; Case No.: 09-3944RU; Dismissed

Progressive Select Insurance Company and Progressive American Insurance Company vs. Office of Insurance Commission and Financial Services Commission; Case No.: 09-5328RU; Voluntarily Dismissed

Anthony B. Lewis, M.D. vs. Board of Medicine; Case No.: 09-6959RU; Voluntarily Dismissed

Woody Drake Advertising, Inc. vs. Department of Transportation; Case No.: 09-6971RU; Voluntarily Dismissed

Mariner Properties Development, Inc., and Little Pine Island Wetlands Mitigation Bank, Ltd. vs. Southwest Florida Water Management District; Case No.: 09-6937RU; Voluntarily Dismissed

SA-PG Clearwater, LLC d/b/a Palm Garden of Clearwater; Et. AL. vs. Agency for Health Care Administration; Case Nos.: 08-4894, 08-5360RU; Dismissed

**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