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October 11, 2005

Ms. Jo Warn, President
Sunwatch on Island Estates Condominium Association, Inc.
670 Island Way
Unit 806
Clearwater, Florida 33767-197

RE: Sunwatch on Island Estates, A Condominium
Case Number 2005052105

Dear Ms. Warn:

As discussed during our telephone conversation on October 10, 2005, the Division has completed its investigation of the following allegation:

Sunwatch on Island Estates Condominium Association, Inc., filled a vacancy improperly, in violation of section 718.112(2)(d)8., Florida Statutes.

Specifically, at a board meeting held on September 6, 2005, the board permitted the resigning board member to vote to fill his own vacancy before resigning.

Section 718.112(2)(d)8., Florida Statutes, provides that when a board vacancy occurs between terms, a majority of the remaining board members may fill the vacancy.

We discussed that Florida law provides that in the case of a unit owner controlled association, certain violations are to be resolved through an educational approach called an Information Letter.

I informed you that I will be closing this case with this Information Letter, and a response is not required. However, the association is expected to comply with the Condominium Act and related administrative rules, and repeated violations of a similar nature within two years of the date of this letter will result in further action by this agency.

I hope the above information is useful to your association. I will be happy to assist you with questions or concerns regarding the foregoing. You may contact me at (813) 356-1720 extension 116.

YOUR ATTENTION IS DIRECTED TO RULE 61B-23.002(7)(b)1., FLORIDA ADMINISTRATIVE CODE, WHICH REQUIRES RETENTION OF THIS LETTER OR A COPY THEREOF AMONG THE OFFICIAL RECORDS OF YOUR CONDOMINIUM ASSOCIATION FOR FUTURE REFERENCE.

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Thank you for your cooperation in this matter.

Sincerely,
BUREAU OF COMPLIANCE

Marlaine Stoor
Investigation Specialist II

cc: Robert Nathan Hightower, Esquire
625 Court Street
Clearwater, Florida 33756-5528