



DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES, AND MOBILE HOMES
NORTHWOOD CENTRE - 1940 NORTH MONROE STREET
TALLAHASSEE, FLORIDA 32399-1032

MEDIATION PROCEDURES FOR HOMEOWNERS

- 1) **WITHIN 30 DAYS AFTER THE COMMITTEE MEETING WITH THE PARK OWNER, THE HOMEOWNERS MAY PETITION THE DIVISION TO INITIATE MEDIATION BY MAILING OR DELIVERING THE FOLLOWING ITEMS TO THE DIVISION:**
 1. A completed BPR form 34-001,
 2. A copy of the written designation, signed by a majority of the affected homeowners, designating that:
 - a. The lot rental increase is unreasonable,
 - b. The rental increase has made the lot rental amount unreasonable,
 - c. The decrease in services or utilities is not accompanied by a corresponding decrease in rent or is otherwise unreasonable, or
 - d. The change in rules and regulations is unreasonable,
 3. A copy of the records which verify the selection of the homeowners' committee, and
 4. A copy of the notice of change.
- 2) **EFFECTIVE APRIL 8, 1992, SECTION 723.038(4), FLORIDA STATUTES, AS AMENDED BY THE 1992 LEGISLATURE, PROVIDES THAT UPON RECEIVING A PETITION TO MEDIATE A DISPUTE, THE DIVISION SHALL, WITHIN 20 DAYS, NOTIFY THE PARTIES THAT A MEDIATOR HAS BEEN APPOINTED BY THE DIVISION. THE PARTIES MAY ACCEPT THE MEDIATOR APPOINTED BY THE DIVISION OR, WITHIN 30 DAYS, SELECT A MEDIATOR TO MEDIATE THE DISPUTE. THE PARTIES SHALL EACH PAY A \$250 FILING FEE TO THE MEDIATOR APPOINTED BY THE DIVISION OR SELECTED BY THE PARTIES, WITHIN 30 DAYS AFTER THE DIVISION NOTIFIES THE PARTIES OF THE APPOINTMENT OF THE MEDIATOR. THE \$250 FILING FEE SHALL BE USED BY THE MEDIATOR TO DEFRAY THE HOURLY RATE CHARGED FOR MEDIATION OF THE DISPUTE. ANY PORTION OF THE FILING FEE NOT USED SHALL BE REFUNDED TO THE PARTIES.**
- 3) **DO NOT SEND MONEY TO THE DIVISION WITH THE PETITION! UPON NOTIFICATION BY THE DIVISION THAT A MEDIATOR HAS BEEN APPOINTED TO MEDIATE THE DISPUTE, THE PARTIES SHALL HAVE 30 DAYS FROM THE DATE STATED ON THE NOTICE TO MAIL OR DELIVER THE FILING FEE TO THE MEDIATOR APPOINTED BY THE DIVISION.**

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS AND MOBILE HOMES
NORTHWOOD CENTRE - 1940 NORTH MONROE STREET
TALLAHASSEE, FLORIDA 32399-1032



PETITION FOR MEDIATION BY HOMEOWNERS

We, the undersigned, hereby request that the Division of Florida Land Sales, Condominiums and Mobile Homes appoint a qualified mediator to mediate the disputes set forth in this petition:

We understand and agree that the parties shall be responsible for paying the mediator fee as required by Section 723.038(4), Florida Statutes, which was amended during the 1992 Legislative Session. Effective April 8, 1992, the parties shall each pay a \$250 filing fee to the mediator appointed by the Division or selected by the parties, within 30 days after the Division notifies the parties of the appointment of the mediator.

This is a dispute concerning the reasonableness of an increase in the lot rental amount, reduction in services or utilities, or changes in the rules and regulations at:

NAME OF MOBILE HOME PARK OR SUBDIVISION

ADDRESS OF MOBILE HOME PARK OR SUBDIVISION

CITY STATE ZIP

Please indicate the type of park (check only one):

Mobile Home Park Mobile Home Subdivision

A meeting was held on _____ between the homeowners' committee and the park owner/subdivision developer to discuss the proposed change, but no agreement was reached as to the reasonableness of the proposed change.

The number of mobile home lots affected by the proposed change is _____.

Yes Has a majority of the affected homeowners designated in writing
 No that the change is unreasonable?

(If a mobile home is owned jointly, the joint owners shall be counted as one for determining the majority. ONLY ONE VOTE PER MOBILE HOME LOT SHALL BE COUNTED.)

HOMEOWNERS' COMMITTEE

NAME	_____	_____
ADDRESS	_____	SIGNATURE

PHONE	() - .	
NAME	_____	_____
ADDRESS	_____	SIGNATURE

PHONE	() - .	
NAME	_____	_____
ADDRESS	_____	SIGNATURE

PHONE	() - .	
NAME	_____	_____
ADDRESS	_____	SIGNATURE

PHONE	() - .	

The name, address, and phone number of each member of the homeowners' committee must be listed above, and the petition must be signed by one or more of the committee members of the homeowners' committee.

NAME	_____
ADDRESS	_____

PHONE	() - .

The name, address and phone number of the park owner, or subdivision developer, must be listed above.

STATEMENT OF DISPUTE

We the undersigned, in accordance with the Florida Statutes, Section 723.037(5), dispute the change noticed by the park owner in that:

Choose one or all of the following
Depending on the nature of the change.

- a) The rental increase is unreasonable,
- b) The rental increase has made the lot rental amount unreasonable,
- c) The decrease in services or utilities is not accompanied by a corresponding decrease in rent or is otherwise unreasonable,
- d) The change in the rules and regulations is unreasonable.

We designate the committee previously chosen to meet with the park owner on this change to represent us in this dispute before the Division of Florida Condominiums, Timeshares, and Mobile Homes. We hereby authorize the committee to mediate this dispute.

The number of mobile home lots affected by the proposed change is _____.

PRINT NAMES	LOT NO.	SIGNATURE	DATE

COMMITTEE DESIGNATION BY A HOMEOWNERS' ASSOCIATION

PARK NAME: _____

ADDRESS: _____

We, the undersigned, as Board of Directors of _____

(Park Name)

in accordance with Florida Statutes, Section 723.037, designate the following five (5) member committee to represent our interests to the above-stated mobile home park owner relating to changes in lot rental amounts, park rules and regulations, and changes in utilities/services. We further authorize this committee to represent our interests in any subsequent mediation proceedings that may arise.

COMMITTEE MEMBERS PHONE

1. _____ .

2. _____ .

3. _____ .

4. _____ .

5. _____ .

ALTERNATE COMMITTEE MEMBERS PHONE

1. _____ .

2. _____ .

BOARD OF DIRECTORS

PRINT NAMES LOT NO. SIGNATURES DATE

1. _____ .

2. _____ .

3. _____ .

4. _____ .

5. _____ .

6. _____ .

7. _____ .

8. _____ .

COMMITTEE DESIGNATION BY A MAJORITY OF HOMEOWNERS

PARK NAME: _____

ADDRESS: _____

We, the undersigned, as homeowners of _____

(Park Name)

in accordance with Florida Statutes, Section 723.037, designate the following five (5) member committee to represent our interests to the above-stated mobile home park owner relating to changes in lot rental amounts, park rules and regulations, and changes in utilities/services. We further authorize this committee to represent our interests in any subsequent mediation proceedings that may arise.

COMMITTEE MEMBERS _____ PHONE

1. _____ .

2. _____ .

3. _____ .

4. _____ .

5. _____ .

ALTERNATE COMMITTEE MEMBERS _____ PHONE

1. _____ .

2. _____ .

SIGNATURES OF HOMEOWNERS

PRINT NAMES _____ LOT NO. _____ SIGNATURES _____ DATE

_____ .

_____ .

_____ .

_____ .

_____ .

_____ .

_____ .

_____ .