

Charlie Liem, Interim Secretary

Charlie Crist, Governor

December 22, 2009

**CERTIFIED MAIL, RETURN RECEIPT REQUESTED
CERTIFIED NO. 7009 1410 0002 4791 9424**

Board of Directors
Palm-Aire Country Club Condominium Association No. 11, Inc.
Attention: Stuart J. Zoberg, Esq. [szoberg@kgirlawfirm.com]
1501 NW 49th St, 2nd Floor
Ft. Lauderdale, FL 33309

Re: Palm-Aire Country Club Condominium Association No. 11, Inc. ("Association")
Case No. 2009059086

Dear Members of the Board:

The Division of Florida Condominiums, Timeshares and Mobile Homes (the "Division") has completed its investigation of a complainant filed against Palm-Aire Country Club Condominium Association No. 11, Inc. (the "Association") and has determined that there is sufficient documentation to support the Division's conclusion that a violation has been committed under Florida Condominium Law and the administrative rules. This violation is required to be resolved through the issuance of a Warning Letter to the Association.

The following violation is being resolved through this Warning Letter pursuant to rule 61B-21.002, Florida Administrative Code.

Allegation 1: The Association, in violation of section 718.111(13), Florida Statutes, failed to prepare the 2008 year end financial report in accordance to the reporting requirements and further failed to make the 2008 year end financial report available to the unit owners within 120 days after the end of the fiscal year.

Section 718.111(13)(a), Florida Statutes states that within 90 days after the end of the fiscal year, or annually on a date provided in the bylaws, the association shall prepare and complete, or contract for the preparation and completion of, a financial report for the preceding fiscal year. Within 21 days after the final financial report is completed by the association or received from the third party, but not later than 120 days after the end of the fiscal year or other date as provided in the bylaws, the association shall mail to each unit owner at the address last furnished to the association by the unit owner, or hand deliver to each unit owner, a copy of the financial report or a notice that a copy of the financial report will be mailed or hand delivered to the unit owner, without charge, upon receipt of a written request from the unit owner...."

Specifically, the Association's documents state that the Association's fiscal year ends on June 30th. Pursuant to section 718.111(13)(a), Florida Statutes, the Association was required to provide the 2008 year-end financial reports within 21 days after completion by a third party, but no later than 120 days after the end of the fiscal year.

Rule 61B-21.002(4), Florida Administrative Code, requires that associations must provide a written response to a Warning Letter. However, during the course of this investigation, the Association through its legal counsel, Stuart Zoberg, acknowledged that it failed to timely prepare and deliver the 2008 year-end financial report to the unit owners. Therefore, the Division is only requiring at this time confirmation by **January 8, 2010**, that the 2008 financial report has now been made available to the unit owners and that the Association advise the Division how the Association will ensure future compliance.

Please address your response to the Division at the address provided on the first page. If you have any questions regarding the foregoing, please call me at (954) 202-3982, Extension #228.

However, should the Association disagree with or want to challenge the Division's findings; the Association may request the Division enter a Notice to Show Cause. If such request is received or if the Association disputes the Division's findings, the Division may conduct further investigation into the association's response, which may require the production of further documentation, and issue a Notice to Show Cause that will provide the Association an opportunity to dispute the Division's findings and ask for a hearing.

Failure to reply, take corrective action as requested herein, or repeated violations of a similar nature within two years from the date the above violations are resolved, may result in an enforcement action by the Division, as well as civil penalties of up to \$5,000 per violation.

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.

Should you have questions or concerns regarding the information provided herein, or if the division may be of further assistance to you, please do not hesitate to contact me by telephone at 954.202.3982, Extension #228 or e-mail at aviole.ambroise@dbpr.state.fl.us

Sincerely,



Aviole Ambroise
Investigator-Fort Lauderdale
BUREAU OF COMPLIANCE
D.B.P.R. Division of Florida Condominiums,
Timeshares and Mobile Homes

CC:

Board of Directors
Palm-Aire Country Club Condominium Association No. 11, Inc.
1214 S Powerline Road
Pompano Beach, Florida 33069