

Case Number:
HUD NO. 04-14-0025-8
PBE0 No. 1300330
TIERRA DEL MAR CONDOMINIUM ASSOCIATION, INC.

Glenn Sonoda
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OEO Compliance Investigator
215 North Olive Avenue, Suite 130
West Palm Beach, FL 33401
Tel: 561 355 4360

Re: Your findings in above investigation

June 30, 2014

Dear Glenn Sonoda,

I am in possession of your “findings” in the above case. To say the least, I am wondering about the results of your investigation. According to the association the dog owner (Peklun) never supplied any documentation that this dog is a service animal – or that the dog is especially trained. Legally the dog clearly is an emotional support animal – nothing more – and has to be treated as such as long as the dog-owner fails to supply the necessary documents. The quotes below are in my opinion false and can’t be documented in any way.

“According to Dr. Paul Murry there is a danger of respiratory arrest and respiratory failure compounding his (Peklun) other medication conditions’ and “for this reason, he requires 24 hour monitoring. His pet dog has been trained to detect respiratory arrest in him to stimulate arousal to prevent dangerous consequences. His pet is identified as a certified service animal.”

According to Florida statutes an exemption to the governing documents of the association has to be voted upon by the full board at a public, officially announced board meeting – with minutes proving the outcome of such vote. According to affidavits such board meeting – or vote – never took place. E-mail correspondence is – according to various arbitration rulings – not sufficient to make final decisions in such a case.

Maybe I overlooked something or you have a different insight in this case, but from the documents in my possession I really have problems with your findings.

I am going to write an article about this case and would appreciate if you would comment on your decision – or explain why you came to the decision which is clearly not in-line with community association statutes and legal rulings in similar cases.

Your comments would be much appreciated!

Regards
Jan Bergemann, President
Cyber Citizens For Justice, Inc.