ELLIS AKINS
[redacted]

November 10, 2026 | By certified mail, with an advance copy by email

Board of Directors, Panther Ridge Homeowners Association of Brevard, Inc.
Through Jennifer L. Davis, Esq. | Arias Bosinger PLLC | [redacted]

Formal pre-arbitration notice and demand to correct the December 1 election ballot

Dear Jennifer Davis and Board Members,

As a member and candidate, I give the Association my second formal notice of a dispute concerning the December 1 Board election. My November 8, 2026 letter, "Formal pre-arbitration notice concerning the December 1 Board election," challenged the use of TownSq and management email to campaign for sitting directors. This second dispute concerns the ballot itself and access to it. Please suspend the current ballot immediately, before its advertised November 11 opening. I am emailing an advance copy so the Board can act promptly.

The ballot appeared before nominations closed

Exhibits B1–B3 are photographs of another member's phone taken on November 10. I did not receive the November 9 TownSq voting notice shown there. It linked to "View voting" and advertised voting from November 11 through December 1. The ballot displayed on that phone instructed voters to select "3 of the 4 candidates" but listed five names plus abstention. The three sitting directors appeared first. My name appeared fifth as "Ellis ray Akins," the only entry with a lowercase middle name or initial. Please confirm when TownSq first accepted votes.

The first notice sets November 11 as the nomination deadline and promises electronic voting instructions with the second notice. Amended Bylaws § 4.2(b) sets the cutoff at 5 p.m. Sections 4.2(c)–(d) require the second notice and printed election materials November 12–17, including unaltered candidate sheets. Every paper ballot mailed with that notice must list all eligible candidates in alphabetical order by last name and must omit incumbent designations under § 4.2(e). Florida Statutes §§ 720.306(9)(a) and 720.317(1)(a)3. require the election and online voting method to follow the bylaws. See Exhibits A, C and D.

My consent and access to TownSq voting

As of November 10, my own TownSq account shows neither the election nor the voting option displayed on the other member's phone. On March 25, 2023, I signed the Association's form, checked both boxes and emailed it to the HOA address printed on the form, following management's March 24 instructions. Management described consent to email notices and consent to electronic voting as separate choices. I voted electronically in the 2025 election and expected to have that option again. See Exhibit E.

The first notice says owners who completed an Electronic Voting Consent Agreement last year need not submit another and "may email [redacted] to confirm if your consent agreement was received." It makes that inquiry optional. My March 2023 voting consent continues until I opt out under the Board's procedures. See § 720.317(4), Fla. Stat., and Bylaws § 3.13(c). I have never opted out of electronic voting.

On September 13, I revoked consent to receive formal HOA notices by email and requested mail delivery. On September 18, the CAM told me I would have to close TownSq to stop electronic communications and offered a form if I wished to withdraw voting consent. I expressly retained my account, electronic voting consent, and email for voting access and receipts. I asked management to confirm those choices. The difference between my account and the accounts displaying the ballot warrants a check of every eligible lot's access. See Exhibit E3.

I demand that the Association take the following steps to bring the December 1 election into compliance.

1. **Withdraw and reissue the ballot.** After nominations close at 5 p.m. on November 11, verify eligibility and use the same final list, alphabetized by last name, on the electronic ballot and every mailed paper ballot. For the five candidates shown, the order is Akins, Harlow, Kaier, Mapes, Valko. Use "Ellis Ray Akins," state the correct candidate count and three available seats, and list abstention separately. Check the paper ballot against § 4.2(e) before mailing. During November 12–17, distribute the second notice with the printed ballots, return envelopes and unaltered candidate sheets. Resend the corrected voting option and instructions to eligible voters who consented.

2. **Restore my access and check every eligible voting account.** Match the signed consent and voting opt-out records to the eligible voting representative for each lot, the invitation list and the TownSq permissions. Verify that each eligible consenting voter can see and use the corrected ballot. Check omissions, suppressed or undelivered invitations, and accounts treated as withdrawn solely because the owner revoked email-notice consent. Correct each affected account and contact its voting representative. Confirm in writing that voting access for [redacted] works and formal notices for my lot will be sent by mail. If you contend I opted out, identify the act, date and record you rely on. Report the aggregate number of access problems found and corrected.

3. **Issue a community correction and protect any votes already cast.** Notify all members through TownSq and their authorized notice channels. Acknowledge the premature release, inaccurate count, ordering and capitalization errors. Explain the access discrepancy, what the review finds, when the replacement will arrive, and whom to contact if voting is still unavailable. State what anyone who already voted should do. Preserve both ballot versions, settings, consent and opt-out records, invitation and access logs, delivery failures, and ballots. Report the aggregate number accepted on the original ballot, including zero if applicable. If any were accepted, explain how you will protect secrecy, give affected voters an equal opportunity to vote, and count each lot only once.

Please acknowledge receipt on the Association's behalf and confirm the pause by return email before the advertised opening. Provide a written corrective plan within five business days after receipt and in time to meet the November 17 second-notice deadline.

If the dispute remains unresolved after a reasonable opportunity to comply, I intend to petition the Florida Department of Business and Professional Regulation for binding election arbitration under §§ 720.306(9)(c) and 720.311(1), Fla. Stat. I will seek an order correcting the election process and, if a fair correction is no longer possible, a new election. This letter gives the advance written notice described in § 718.1255(4)(b), Fla. Stat.

Sincerely,

Ellis Akins
[redacted]

Enclosures A. First notice and consent form B. TownSq photographs C. Recorded bylaws
D. Florida authorities E. My consent records and correspondence