Ellis Akins

441 Cougar St.

Cocoa, FL 32927

ellisakins@gmail.com

(813) 767-3759

3/25/2025

Community Management Professionals – an Associa Company

Panther Ridge HOA

4901 Vineland Rd, Suite 455

Orlando, FL 32811

Subject**:** Dispute of Violation Due to Selective Enforcement

Dear Board of Directors,

I am writing to formally dispute the violation issued to me on 3/13/2025, regarding "Driveway in need of cleaning". This fine appears to be an instance of **selective enforcement**, which is **not permitted under Florida law**.

Under **Florida Statute § 720.303 and Florida legal precedent** [**Florida Supreme Court**: Franklin v. White Egret Condominium, 358 So. 2d 1084], an HOA must apply rules **uniformly and fairly**.

However, I have documented evidence that the **same issue exists on common areas or other properties under HOA control,** yet no enforcement action has been taken in those cases. Specifically:

- Common area sidewalks and curbs have similar staining that has not been addressed.
- HOA managed roadways are oil stained.
- Photo evidence (taken 3/23/2025) of these issues is attached at the end of this letter.

I request a **written explanation** from the HOA as to why this rule is being selectively enforced against homeowners while being violated on HOA-managed property. Additionally, I formally request:

1. **Immediate dismissal of all violations of this type against myself and other homeowners**, as it is unenforceable under selective enforcement precedent in Florida courts.

2. A copy of the HOA's written policy on enforcement of this rule, including documentation showing that violations have been applied consistently across the community.

Between the first and second violation notices for "Driveway in need of cleaning" **I spent nearly 4 hours pressure washing my driveway**, sidewalks, front walkway, and landscape masonry. Additionally, I request a **written explanation** as to the methods and integrity of the property inspections and evidence gathering that lead to violation notices.

Additionally, I am **submitting this formal request** under Florida Statute § 720.303(5) **to inspect and obtain copies of the association's records related to community-wide violations and enforcement policies**. Specifically, I request access to:

- A list of violations issued to homeowners in the past 7 years, excluding any personally identifiable information. The requested information includes the dates of the violations, the type of violation, and address the violation was sent to, and the evidence gathered to prepare the violations (including but limited to photographs from public view).
- HOA policies and procedures regarding enforcement of violations.
- Meeting minutes from board meetings where community violations and enforcement actions were discussed.

As required by Florida law, I request that these records be made available for inspection within 10 business days of this request. I request that these records be provided electronically, as allowed by Florida law.

If this issue is not resolved fairly, I may escalate my dispute to the Florida Department of Business & Professional Regulation (DBPR).

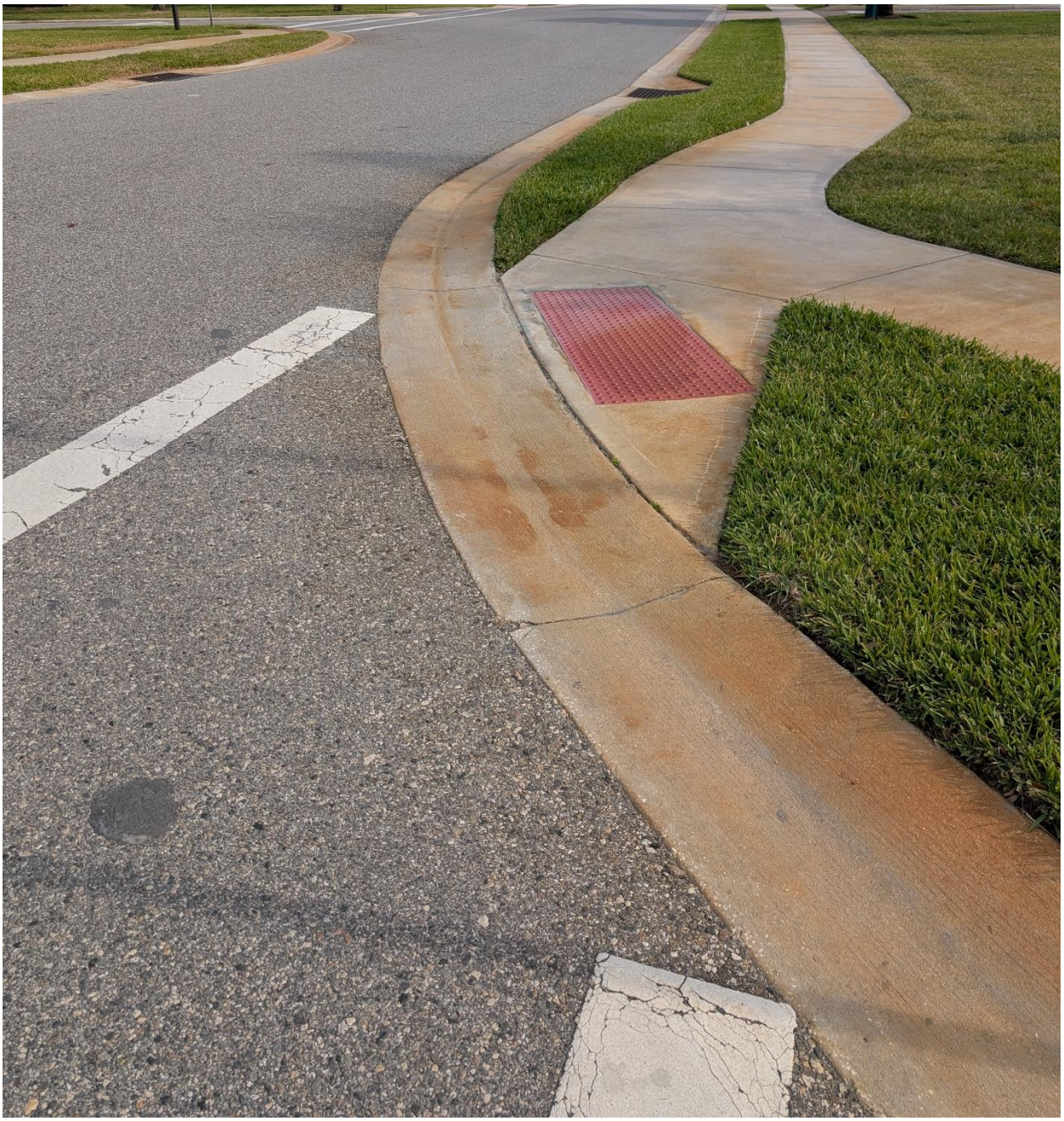
I am sending this request via certified mail. I appreciate your prompt attention to this matter and look forward to your response.

Sincerely,
Ellis Akins

Attachments follow on pages 2-12.














STOP





