
STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES

IN RE: PETITION FOR ARBITRATION

Luanne A. Moore,
Petitioner(s)

v.

Case No. _____

Crystal Key at Woolbright Place Homeowners Association, Inc.,
Respondent(s)

_____ /

MANDATORY NON-BINDING PETITION FORM

The original petition for arbitration, which shall be accompanied by a \$50 filing fee and 1 copy of the petition for each named respondent, shall be mailed to:

Department of Business and Professional Regulation
Attn: Arbitration Section
Capital Commerce Center
2601 Blair Stone Road
Tallahassee, Florida 32399-1030

In the case of a condominium dispute, Petitioner shall attach one complete copy of the current bylaws, articles of incorporation, declaration of condominium and rules and regulations, including any amendments to each, and a copy of pertinent portions of the documents for each named respondent. In the case of a cooperative dispute, Petitioner shall attach one complete copy of the articles of incorporation, bylaws, proprietary leases, and rules and regulations, including any amendments to each, and a copy of pertinent portions of the documents for each named respondent.

Name, mailing address, and phone number of party filing petition (if the party filing the petition is an association, provide both the street address and mailing address, if different, for the association):

Luanne Moore, 133 Buffet Key, Boynton Beach, FL 33426, 561-733-0249

Name, mailing address, and phone number of Petitioner's representative, if any:

N/A

If Petitioner's representative is not an attorney, attach DBPR form ARB96-002, QUALIFIED REPRESENTATIVE APPLICATION, as required by Rule 61B-45.004, Florida Administrative Code.

The name, mailing address, and phone number, if known, of each Respondent (if Respondent is an association, give the name and address of either the president or the secretary of the association or the registered agent of the association):

Registered Agent, Southern Shores Management, Inc., Dana M. Brancato, 6801 Lake Worth Road,

Suite 350, Greenacres, FL 33467, Phone 561-460-2619

If the dispute involves a tenant or guest, the name and mailing address of that person:

N/A

The arbitrator only has jurisdiction over those complaints which meet the definition of "dispute" in section 718.1255, Florida Statutes. Check the appropriate sub-section from section 718.1255(1), Florida Statutes, which provides the jurisdictional basis of your dispute:

- (1) DEFINITIONS. -- As used in this section, the term "dispute" means any disagreement between two or more parties that involves:
 - (a) The authority of the board of directors, under this chapter or association document to:
 - 1. Require any owner to take any action, or not to take any action, involving that owner's unit, or the appurtenances thereto.
 - 2. Alter or add to a common area or element.
 - (b) The failure of a governing body, when required by this chapter or an association document, to:
 - 1. Properly conduct elections.
 - 2. Give adequate notice of meetings or other actions.
 - 3. Properly conduct meetings.
 - 4. Allow inspection of books and records.
- _____
- _____
- ___√___
- ___√___
- _____

A dispute does not include any disagreement that primarily involves: title to any unit or common element; the interpretation or enforcement of any warranty; the levy of a fee or assessment; the collection of an assessment levied against a party; the eviction or other removal of a tenant from a unit; alleged breaches of fiduciary duty by one or more directors; or claims for damages to a unit based upon the alleged failure of the association to maintain the common elements or condominium property.

STATEMENT OF THE FACTS

Explain the dispute, including all relevant facts. Each fact must be set forth in a separate paragraph. Be sure to attach copies of all relevant documents as exhibits to the petition. (If more space is needed, attach a separate sheet of paper):

- (1) The Board of Directors does not hold Annual Members Meetings according to the Governing Documents and State Statutes and apparently the Members Meeting does not occur when there is no Quorum of Members. The Members Meeting appears to effectively be cancelled, interfering with the Members making nominations from the floor and their right to adjourn the meeting to a future date when a Quorum and Members can properly hold Elections of Board Members.
- a. In 2024 there was an Annual Members Meeting and Board Member Elections held. However, this year the Board of Directors reverted to improper practices of past years that have interfered with the Members Election of Board Members.
- b. The Petitioner was unable to obtain information on the Board Member Elections to be held at the Annual Members Meeting of November 13, 2025 (Exhibit 2). The Petitioner spoke with a Member of the Nominating Committee the day before the Annual Meeting, who did not know either. Pre-meeting objections were made by email (Exhibit 3).

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- c. Upon arrival to the Annual Meeting, the Petitioner expressed the intent to request a rescheduling of the Members Meeting, if there was no Quorum. She asked the Board President about Board vacancies and candidates (nominations). She believed, at the time, the Members Meeting was either in progress or not started. However, there are subsequent claims the Members Meeting was cancelled (did not occur, Exhibit 5) and that this has been a regular practice.
- d. The Board of Directors were non-responsive to questions about nominees, candidates, vacancies and rescheduling when asked about them by the Petitioner. Property Manager and Registered Agent, Dana Brancato told the Petitioner that the Board was not required to give the Members such information because the Governing Documents only required the Nominating Committee to give that information to the Board Members.
- e. As the Board of Directors remained non-responsive, the Petitioner expressed her understanding that there were no Board Vacancies to be filled and therefore no need for a Members Meeting to be rescheduled. The Board Members remained unresponsive. There was nothing said about what the annual meeting status was at the time.
- f. The Petitioner was contacted by phone by Board Member, Margo Dolba, on December 18, 2025 (Exhibit 8), which was the day the Petitioner had requested the Members Meeting be scheduled to, and told her they would

be holding another Board Meeting to address some of the election irregularities with the number of Board Members, but would not be rescheduling the Annual Members Meeting.

(2) The Annual Board Meeting was still held, even when the Members Meeting was apparently cancelled. As a result of the cancellation, the Annual Board Meeting does not follow an adjournment of the Members Meeting, as is required by the Governing Documents.

- a. The Annual Board Meeting was called to order without addressing the requests of the Petitioner at what she believed was the Annual Members Meeting but was later told was cancelled.
- b. The online records with the State of Florida of The Crystal Key at Woolbright Place Homeowners Association, Inc still show (Exhibit 16) the same five (5) Directors elected in 2024.
- c. Responses to records requests show that five (5) is the full number of Directors for the Board (Exhibit 11).
- d. Two (2) additional nominees were appointed at the Annual Board Meeting over the objections of the Petitioner (Exhibit 5).

(3) Although there was a Nominating Committee with three members, they did not have any meetings prior to the Annual Meeting.

- a. An email obtained by records request shows one (1) Member of the Nominating Committee sending in two (2) Nominations with neither of the

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- other Members of the Nominating Committee copied on the email. (Exhibit 10)
- b. Records request responses show that neither of the Nominees sent in any Notice of Intent to be a Candidate or any Certification to be on the Board. (Exhibit 9)
- c. The faulty nomination process has created Conflict of Interest problems. One of the Nominees previously served on the Board for approximately seven (7) years without ever providing any Certification. The same Nominee signed a controversial eight (8) year contract for the Homeowners Association with Comcast for Cable TV in 2021 (Exhibit 14) and has since obtained lucrative employment with Comcast Business Partners as is evident from his employment history posted online with Linkedin (Exhibit 15). No record of his disclosure of this was obtained by any recent records request.
- (4) The Board of Directors fails to meet Directors general standards of good faith towards getting a Quorum of Members for the Members Meeting and has not followed through on their commitment to Members for contact information and forums so that Members may organize authorized Community and Election activities. There is no Election Committee.
- a. The Petitioner has setup an unauthorized website, TheCrystalKey.info, to provide the community with information and attempt to engage them, but

is uncomfortable doing anything further that is not authorized by the Board.

- b. The Petitioner has obtained HOA Board Member Certification and sent in a Notice of Intent to be a Candidate by email of 12/27/2025 (Exhibit 5) (but has health issues that may limit service), along with multiple requests for Rescheduling of the Annual Member Meeting.
- c. The Property Manager and Registered Agent, Dana Brancato has responded by telling the Petitioner that she was not at the Members Meeting because the meeting did not occur (Exhibit 5)

If the dispute involves the collection of a fine previously imposed by the association pursuant to section 718.303(3) or section 719.303(3), Florida Statutes, include those facts which show that the association already has complied with the notice and hearing requirements of the applicable statute:

N/A

Identify and quote each specific division rule, portion of the statute, or specific provision from the governing documents which entitles you to relief:

- (a) Requirements for an Annual Meeting of the Members to be held and the right to adjourn the Meeting to a future date when there is no Quorum can be found in the HOA Bylaws, Article VII, Section 1. Meeting of the Members, B. and D., respectively, shown in the Bylaws

ARTICLE VII

MEETINGS

Section 1. Meetings of Members.

A. Place of Meetings: All meetings of the Association shall be held at the office of the Association or may be held at such time and place as shall be stated in the notice thereof.

B. Annual Meetings: Annual Members' meetings shall be held upon such date as shall be selected by the Board of Directors, in its discretion, in each calendar year subsequent to relinquishment of control of the Association by Developer. No meeting shall be held on a legal holiday. The meeting shall be held at such time as the Directors shall appoint from time to time. The purpose of such meeting shall be the election of Directors and the transaction of other business authorized to be transacted by Members. The order of business shall be as determined by the Board of Directors.

C. Special Meetings: Special meetings shall be held whenever called by the President or by a majority of the Board of Directors and must be called by the Secretary, upon receipt of a written request from Members of the Association holding a majority of the total votes of the membership. Business transacted at all special meetings shall be confined to the objects and actions to be taken as stated in the notice of the meeting.

D. Quorum: A quorum for the transaction of business at the annual meeting or any special meeting shall consist of a majority of the total votes of the membership, being present either in person or by proxy, but the Members present at any meeting although less than a quorum, may adjourn the meeting to a future date.

E. Voting Required to Make Decisions: When a quorum is present at any meeting, the vote of a majority of the Member's votes present in person or by proxy shall decide any question brought before the meeting, unless the Declaration, the Articles of Incorporation, these By-Laws or any applicable statute provides otherwise.

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- (b) A requirement for the Annual Members Meeting can be found in the Florida Statutes

F.S. Chapter 720.306 (2) ANNUAL MEETING.- The association shall hold a meeting of its members annually for the transaction of any and all proper business at a time, date, and place stated in, or fixed in accordance with, the bylaws. The election of directors, if one is required to be held, must be held at, or in conjunction with, the annual meeting or as provided in the governing documents.

- (c) Additional requirements for adjournments can be found in the Florida Statutes

F.S. Chapter 720.306 (7) ADJOURNMENT, - Unless the bylaws require otherwise, adjournment of an annual or special meeting to a different date, time, or place must be announced at that meeting before an adjournment is taken, or notice must be given of the new date, time, or place pursuant to s. 720.303(2). Any business that might have been transacted on the original date of the meeting may be transacted at the adjourned meeting. . .

- (d) The requirement for the Annual Board of Directors Meeting to follow the adjournment of the Members Meeting can be found in the HOA Bylaws.

Article VII, Section 2. Directors' Meeting, A. Annual Meeting: The annual meeting of the Board of Directors shall be held immediately following the adjournment of the annual meeting of Members. . .

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- (e) The Board of Directors Appointment of a Nominating Committee can be found in HOA Bylaws, Article III, Section 1. Directors, C.

ARTICLE III

DIRECTORS AND OFFICERS

Section 1. Directors

C. Directors shall be elected as follows: Prior to each annual meeting, the Board of Directors shall appoint a Nominating Committee consisting of three (3) Members, using such procedures as the Board may establish. The Nominating Committee shall nominate one person for each vacancy to be filled at that annual meeting and each Board member shall be provided with a list of the nominations at least one (1) day prior to the annual meeting. Other nominations may be made from the floor. The election shall be by written ballot (unless dispensed with by unanimous consent) and by a plurality of the votes cast, each person voting being entitled to cast his votes for each of as many nominees as there are vacancies to be filled.

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- (f) Note that the above HOA Bylaws, Article III, Section 1. Directors, C. allows nominations from the floor even when one nominee per vacancy is provided, while the Florida Statutes below do not and the Bylaws are believed to take precedence.

F.S. Chapter 720.306 (9) ELECTIONS AND BOARD VACANCIES.—

(a) Elections of directors must be conducted in accordance with the procedures set forth in the governing documents of the association. Except as provided in paragraph (b), all members of the association are eligible to serve on the board of directors, and a member may nominate himself or herself as a candidate for the board at a meeting where the election is to be held; provided, however, that if the election process allows candidates to be nominated in advance of the meeting, the association is not required to allow nominations at the meeting. An election is not required unless more candidates are nominated than vacancies exist. If an election is not required because there are either an equal number or fewer qualified candidates than vacancies exist, and if nominations from the floor are not required pursuant to this section or the bylaws, write-in nominations are not permitted and such qualified candidates shall commence service on the board of directors, regardless of whether a quorum is attained at the annual meeting. Except as otherwise provided in the governing documents, boards of directors must be elected by a plurality of the votes cast by eligible voters. Any challenge to the election process must be commenced within 60 days after the election results are announced.

(g) General Requirements for the Board of Directors to establish adequate procedures for attaining a Quorum of Members for the Annual Members Meeting Elections is covered under:

F.S. 617.0830 General standards for directors.—

(1) A director shall discharge his or her duties as a director, including his or her duties as a member of a committee:

(a) In good faith;

(b) With the care an ordinarily prudent person in a like position would exercise under similar circumstances; and . . .

(h) Relevant Florida Statutes on Director conflicts of interest:

F.S. 720.3033 Officers and directors -

(3) An officer, a director, or a manager may not solicit, offer to accept, or accept a kickback. As used in this subsection, the term “kickback” means any thing or service of value for which consideration has not been provided for an officer’s, a director’s, or a manager’s benefit or for the benefit of a member of his or her immediate family from any person providing or proposing to provide goods or services to the association. An officer, a director, or a manager who knowingly solicits, offers to accept, or accepts a kickback commits a felony of the third degree, punishable as provided in s. [775.082](#), s. [775.083](#), or s. [775.084](#), and is subject to monetary damages under s. [617.0834](#). If the board finds that an officer or a director has violated this subsection, the board must immediately remove the officer or director from office. The vacancy shall be filled according to law until the end of the officer’s or director’s term of office. However, an officer, a director, or a manager may accept food to be consumed at a business meeting with a value of less than \$25 per individual or a service or good received in connection with trade fairs or education programs.

AND

(6)(b) Directors and officers must disclose to the association any activity that may be reasonably construed to be a conflict of interest at least 14 days before voting on an issue or entering into a contract that is the subject of the conflict. A rebuttable presumption of a conflict of interest exists if any of the following acts occur without prior disclosure to the association:

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2. A director or an officer, or a relative of a director or an officer, holds an interest in a corporation, limited liability company, partnership, limited liability partnership, or other business entity that conducts business with the association or proposes to enter into a contract or other transaction with the association.

REQUEST FOR RELIEF

State the relief which you seek in arbitration, i.e., what is it that you want the arbitrator to require the Respondent to do or not to do

The Petitioner requests relief, from the Board's failure to properly hold the Annual Members Meeting, by the Board of Directors being required to comply with the HOA Bylaws and State Statutes that requires them to hold Annual Members Meetings. The meeting shall be Called to Order regardless of a Quorum, according to an Agenda that includes an opportunity for Members to ask questions about the election, take nominations from the floor and to adjourn the meeting to a later date if there is no quorum.

While it is too late to hold the Members Meeting within the year that is specified in the Bylaws, the Petitioner requests further relief from the Board's failure to properly hold the Annual Members Meeting by the Board of Directors being required to reschedule the 2025 Annual Members Meeting to be held as soon as possible and not count such a meeting as the 2026 Annual Meeting. The Board Member positions filled by appointments made at the November 13, 2025 Annual Board Meeting that did not follow the adjournment of the Annual Members Meeting shall be subject to the rescheduled Annual Members Meeting Election Results.

The Petitioner requests relief from Board Member Appointments made in lieu of the Board Member Elections by the Members, by the Board of Directors being required to comply with the HOA Bylaw that requires them to hold the Annual Directors Meeting immediately following the adjournment of the Annual Members Meeting. Compliance requires they will cancel the Annual Directors Meeting if they cancel or fail to hold the Annual Members Meeting.

The Petitioner requests relief, from the Board's failure to properly hold the Annual Members Meeting, by the Board of Directors being required to establishing Nominating Procedures that include appointing an Election Committee if candidate or voter participation is inadequate. Requested relief includes requirements that the Nominating Procedures authorize the Election Committee to require Property Management to provide a Members Directory with Member contact information, or update of such. Requested relief includes that the Nominating Procedures require review of nominees for past non-compliance with Certification for Board Members and disclosure of conflict of interests.

Pursuant to section 718.1255(4)(b), Florida Statutes, before filing a petition for arbitration, the petitioner must provide the respondent with advance written notice of the specific nature of the dispute, a demand for relief and a reasonable time in which to comply, and notice of intention to file an arbitration petition or other legal action in the absence of a resolution of the dispute. State the efforts you have made to comply with these statutory requirements and attach copies of all letters or other documents sent to the respondent demonstrating compliance with the above-referenced statute:

- An Email request (with notes) for the November 13, 2025 Annual Members Meeting Rescheduling to December 18, 2025 was sent to Board Members on 11/14/2025 (Exhibit 4). Records requests for 2025 Annual Meeting Minutes are in progress to find out more (Exhibit 13).
- A demand letter dated 11/24/2025 was sent by registered mail, delivered 11/26/2025 (Exhibit 6).
- A Notice of intent to file an arbitration petition dated 12/1/2025 was sent by registered mail, delivered on 12/3/2025 (Exhibit 7).
- Prior Notice of Petitioners issues with Annual Members Meeting irregularities is documented in an email dated 11/08/2025 (Exhibit 3). Other inquiries by phone, email and personal contacts are not documented.
- Current bylaws, articles of incorporation, declaration of covenants and rules, including amendments are included as Exhibits 17, 18, 19, 20 and 21.

If the petition is filed by two or more petitioners, the name and mailing address of one person designated to receive all pleadings and orders on behalf of all individual petitioners:

N/A

If you have filed a complaint with the Bureau of Condominiums pursuant to Rule 61B-19.002, Florida Administrative Code regarding the same issue(s) raised in the petition for arbitration, provide the case number of the condominium complaint. N/A

A handwritten signature in black ink that reads "Juanna Moore". The signature is written in a cursive style with a large initial "J".

Signature of each Petitioner

List of Exhibits

- Exhibit 1. HOA Bylaws Article VII. Meetings
- Exhibit 2. Notice of 11/13/2025 Annual/Budget Meeting of the Members
- Exhibit 3. Email from Petitioner to Board Members, 11/08/2025
- Exhibit 4. Email from Petitioner to Board Members, 11/14/2025
- Exhibit 5. Email with Property Manager to Petitioner, 12/29/2025
- Exhibit 6. Demand Letter, Rescheduling of Annual Meeting, Dated 11/24/2025
- Exhibit 7. Notice of Arbitration Intent, Dated 12/1/2025
- Exhibit 8. Phone Log, Margo Dolba Call to Petitioner, 12/18/2025
- Exhibit 9. Records Request for Election Documents, Dated 11/19/2025 & Response
- Exhibit 10. Records Request for Nomination Documents Dated 11/20/2025 & Response
- Exhibit 11. Records Request for Nomination Documents Dated 12/1/2025 & Response
- Exhibit 12. Records Request for Election Documents Dated 12/12/2025 & Response
- Exhibit 13. Records Request for Annual Meeting Minutes Dated 1/1/2026
- Exhibit 14. HOA Cable TV Comcast Contract
- Exhibit 15. Screen Shots of Special Interests
- Exhibit 16. HOA Board Member Sunbiz Listing 1/2/2026
- Exhibit 17. HOA Rules Summary
- Exhibit 18. HOA Bylaws
- Exhibit 19. HOA Articles of Incorporation
- Exhibit 20. HOA 1997 Amendment to Covenants
- Exhibit 21. HOA Covenants