

# Division of Florida Condominiums, Timeshares & Mobile Homes

## An Overview



# DIVISION OF CONDOMINIUMS, TIMESHARES & MOBILE HOMES

## OUTLINE

### 1 Introduction

What CTMH does & does not do

- Chs 718, 719, 721, 723 & 326
- Ch 720

### 2 What division does - by bureau

- S&R                      Filings & public records
- Compliance            Investigations
- Arbitration             Disputes
- Ombudsman            Elections

### 3 S&R specifics - Condos

- Condo map
- Types of condos
- Condo filing reviews

### 4 S&R specifics - Coops, Timeshares, Mobile Home Parks

- Reports
- Coops
- Timeshares
- MH Parks
- Filing reviews

### 5 Quick Comparisons

- Ownership
- Voting
- Assessments/payments
- Annual fees to the division

### 6 Questions & Answers

*[Amelia Shekitka - June 2017]*

## BUREAU OF STANDARDS & REGISTRATION OVERVIEW

The main function of the Bureau of Standards & Registration (S&R) is review of filings for compliance with the statutes & rules for condominiums-ch 718, cooperatives-ch 719, timeshares-ch 721 & mobile home parks-ch 723. The reviews are all done exclusively in the Tallahassee office by 15 examiners (Real Estate Development Specialist or REDS), under 3 supervisors.

Our Division has 2 main bureaus: Standards & Registration that handles developer/park owner filings, as well as requests for copies of our records, & also helps Revenue with annual fees; & the Bureau of Compliance that investigates legitimate complaints. Filers begin with S&R - without a filing there can be no proper offers to the public, nor any complaint process.

**REVIEW OF FILINGS:** A filing comes in to our division, typically by mail on CD for condos & timeshares, by email, mail or fax for coops and mobile home parks. The filing gets imaged in our document management system & set up in our database. The filing is then assigned for review to an examiner by one of 3 supervisors (Rick Crowe for condos, Elliot Palmer for timeshares, & William Eddy for coops & mobile home parks. The examiner reviews the filing within set timeframes for compliance with our statutes & rules, problems are dealt with by notices of deficiency (NODs) between the examiner & the filer, then the examiner approves the filing. The developer/park owner must deliver the approved filing to unit owners/mobile homeowners. ANY change to these documents must be filed with the division as an amendment-for example, a change to a condo or coop's bylaws.

**ANNUAL FEES:** Developers, associations & park owners are required to pay annual fees to the division each year: \$4 per residential unit for condos & coops; \$2 per timeshare week or \$500 per exchange company; \$5 per mobile home lot.

**119/COPY REQUESTS:** The public can request copies of what we have on file for any condo, coop, timeshare or mobile home park that we regulate; we'll send records free on CD or by email, using Gov QA system.

### WHAT S&R DOES

### S&R REVIEWS FILINGS

### COMPLIANCE INVESTIGATES COMPLAINTS

### FLOW: FILING RECEIVED

### FILING PROFILED

### FILING ASSIGNED

### FILING REVIEWED & APPROVED

### EACH UNIT OWNER/MOBILE HOMEOWNER MUST RECEIVE APPROVED DOCUMENTS & APPROVED AMENDMENTS

### AMENDMENT FILING REQUIRED FOR ANY CHANGES

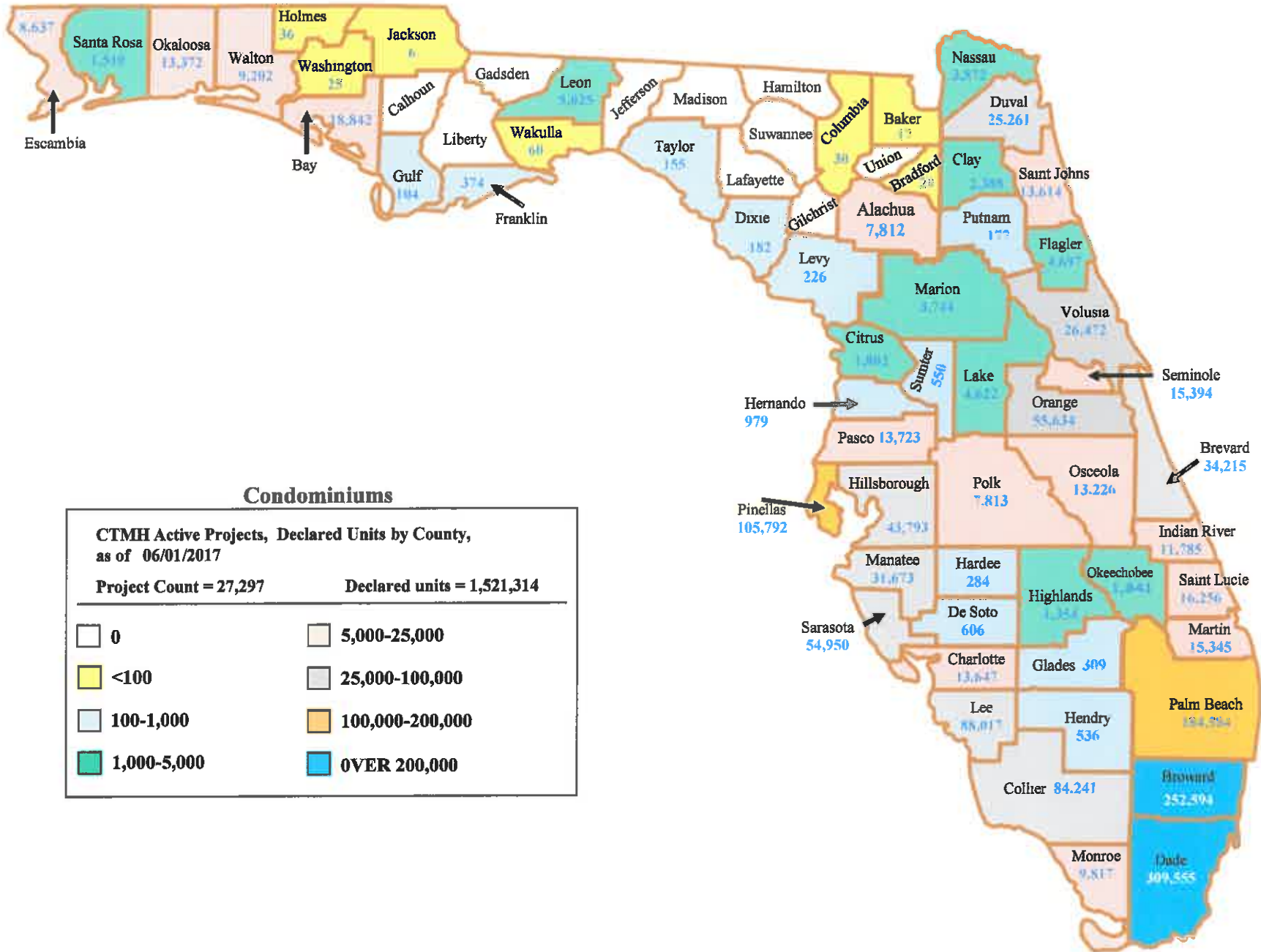
### ANNUAL FEES TO THE DIVISION

### COPY REQUESTS - WE CAN PROVIDE:

1. CD OR DOWNLOAD OF PROJECT FILES [See GovQA info]
2. OTHER MATERIALS

Division website: [www.myfloridalicense.com/condos](http://www.myfloridalicense.com/condos)

[Amelia Shekitka - June 2017]







# MULTICONDOMINIUM

## Ch 718 FS



"Easy Living Condo 1"



"Easy Living Condo 2"



"Easy Living Condo 3"



"Easy Living Condo 4"

1 Association

1 Board of Directors



4 Condominiums

4 Declarations of Condominium



Association numbers

Association mailing addresses



Project numbers (PR)

Physical location of condos

A Multicondominium is described as a condo that is one of possible 2 or more condos under a **single** condominium association (instead of each having their own association, as in a Group Condo). The individual condos can be *any* type, so 1 of the 4 shown in this example could be a Standard, one could be a Conversion, another a Phase, and the last another Standard [reference: sections 718.103(2), 718.405 & rule 61B-17.006(12)(a)6].

The documents for this example include:

- 4 Declarations of condominium + *any required documents per condo* (purchase agreement, escrow agreement, plans, individual & association budgets, etc)
- 1 set of Articles of incorporation
- 1 set of Bylaws
- Frequently asked questions and answers
- Receipt for condo documents
- Any other documents specific to the multicondo

*[Amelia Shekitka - June 2017]*









# CONDOMINIUM CONVERSION

## Ch 718 FS



- 1 Association
- 1 Board of Directors -----> Association number  
| Association mailing address
- V
- 1 Condominium
- 1 Declaration of Condominium -----> Project number (PR)

A **condominium conversion** is described as a condominium created when a developer converts existing, previously occupied improvements (apartments, motel, warehouse loft, etc) to the condominium form of ownership. The developer may or may not change or renovate anything; their choice [reference: section 718.606 & rule 61B-17.006(12)(a)4]

The documents for this example include:

- o Prospectus (if more than 20 residential units)
- o Declaration of condominium
- o Articles of incorporation
- o Bylaws
- o Plot plans
- o Floor plans
- o Purchase agreement
- o Escrow agreement (if substantial construction being done)
- o Frequently asked questions and answers sheet
- o Receipt for condo documents
- o Estimated operating budget
- o Any other documents applicable to the condo, such as a management agreement, as well as any documents specific to conversion, such as Conversion inspection report and Termite inspection report

# PLANNED UNIT DEVELOPMENT

"The Colony at Brentwood by the Bay"



"Easy Living Apts 1 "



"Cool Guy Condo"



"Rosewood Condo"



"Easy Living Apts 2"



Pool & Clubhouse



Townhouse



Bella Vida Café



Single-Family



Single-Family

1 Master Association

2 Condo Associations

2 Board of Directors -----> Association numbers

2 Condominiums

2 Declarations of Condominium -----> Project numbers (PR)  
Physical location of condos

(Documentation for all other forms of ownership - not required to be included in filing)

A Planned Unit Development describes a real property development that may contains condominiums & other types of real property ownership, such as single-family dwellings, townhouses, etc, as well as amenities such as pools, restaurants, stores, etc. Ch 718 applies only to those properties that are condominiums [reference: rule 61B-17.006(12)(a)3]

The documents for this example include:

- 2 Declarations of condominium
- 2 set of Articles of incorporation
- 2 set of Bylaws
- 2 sets of budgets, plans, purchase agreements, escrow agreements, frequently asked questions and answers, receipts for condo documents, etc.
- 1 set of Master Association documents

# TIMESHARE PLAN

## Ch 721 FS



### "Blue Diamond Timeshare Resort"

1 Timeshare Plan -----> Project number (PR)

A Timeshare plan is defined as any arrangement, plan, scheme, or similar device, other than an exchange program, whether by membership, agreement, tenancy in common, sale, lease, deed, rental agreement, license, or right-to-use agreement or by any other means, whereby a purchaser, for consideration, receives ownership rights in or a right to use accommodations, and facilities, if any, for a period of time less than a full year during any given year, but not necessarily for consecutive years. [reference: section 721.05 FS]

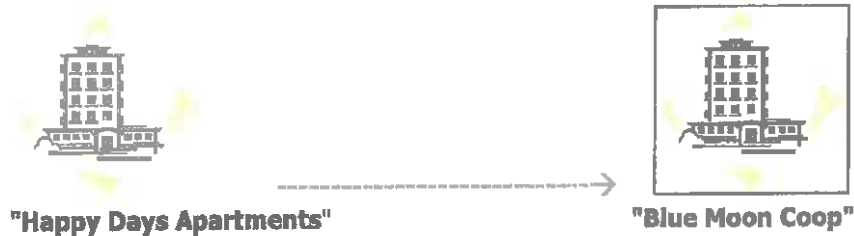
Ch 721 FS applies to all timeshare plans consisting of more than 7 timeshare periods over a period of at least 3 years in which the accommodations and facilities, if any, are located within this state or offered within this state

The documents for this example include, *as applicable*:

- 1 Public offering statement
- 1 set of Articles of incorporation
- 1 set of Bylaws
- Purchase agreement
- Escrow agreement
- Plot plan
- Floor plans
- Frequently asked questions and answers
- Estimated operating budget
- Any other document specific to the specific timeshare, depending on type, as required by section 721.07 FS

*[Amelia Shekitka June 2017]*

# CONVERSION COOP Ch 719 FS



1 Association

1 Board of Directors

-----> Association number

Association mailing address

↓  
V

1 Master Agreement (aka master occupancy agreement, etc) -----> Project number (PR)

A **conversion cooperative** is described as a cooperative created when a developer converts existing, previously occupied improvements (typically apartments) to the cooperative form of ownership. The developer may or may not change or renovate anything; their choice. The property is owned by the developer, which sells shares to buyers/unit owners.

The documents for this example include:

- Prospectus (if more than 20 residential units)
- Master Occupancy Agreement (aka Master Form Proprietary Lease, etc)
- Articles of incorporation
- Bylaws
- Plot plans
- Floor plans
- Purchase agreement
- Escrow agreement (if substantial construction being done)
- Frequently asked questions and answers sheet
- Receipt for coop documents
- Budget
- Any other documents applicable to the coop, such as a management agreement, as well as any documents specific to conversion if needed, such as Conversion inspection report and Termite inspection report

*[Amelia Shekitka - June 2017]*

# CONVERSION COOP-MOBILE HOME

(from ch 723 to ch 719)



"Blue Haze Mobile Home Park"



"Leisureville Coop"

1 Association

1 Board of Directors -----> Association number  
Association mailing address

1 Master Agreement -----> Project number (PR)

A **mobile home park cooperative** is typically a coop created when a mobile home park homeowner association (723.075-732.079) purchases a ch 723 park and converts it to the cooperative form of ownership under ch 719 FS. The association may or may not change or renovate anything; their choice. The property is owned by the association (corporation).

Note: Ch 719 FS allows any mobile homeowners still remaining in the new coop, but not owning shares as coop unit owners, to form a new association. This is separate from the cooperative association whose membership is made up of coop shareholders/unit owners. The coop association (corporation) owns the cooperative property.

The documents for this example include:

- o Prospectus (if more than 20 residential units)
- o Master Occupancy Agreement (aka Master Form Proprietary Lease, etc)
- o Articles of incorporation
- o Bylaws
- o Plot plans
- o Floor plans
- o Purchase agreement
- o Escrow agreement (if substantial construction being done)
- o Frequently asked questions and answers sheet
- o Receipt for coop documents
- o Budget
- o Any other documents applicable to the coop, such as a management agreement, as well as any documents specific to conversion if needed, such as Conversion inspection report and Termite inspection report.

*[Amelia Shekitka - June 2017]*

# MOBILE HOME PARK

## Ch 723 FS



"Blue Haze Mobile Home Park"

1 Park owner

∨

1 Prospectus file (26 or more rental lots)-----> Project number (PR)

A **mobile home park** under ch 723 is jurisdictional when it contains 10 or more mobile home lots/spaces for rent or lease by the park owner, who leases the lots to a mobile homeowners who owns their own mobile homes, & provides documents required by section 723.013 FS, which are not required to be submitted to the division for review.

When there are 26 or more such rental lots, the park owner is required by section 723.012 FS, to file for approval a prospectus document, together with any written rental agreement (may be oral) for a minimum of one year, rules & regulations, & a lot layout/map of the park. The division does not regulate the rental of RV spaces, nor rental of a home/lot package. Ch 513 FS, governs mobile home parks with 5 or more lots as well (Department of Health permits & inspects all mobile home parks in Florida).

The park owner *owns & manages* the park property.

The documents for this example include:

- Park owner filing statement (DBPR form, not deliverable to a mobile homeowner)
- Deed or other instrument showing the ownership of the park property
- Filing fees for review
- Prospectus (there are more than 26 rental lots/spaces in this example)
- Written rental agreement
- Rules & regulations
- Lot layout/map of park

NOTE: If the mobile homeowners organize, they may register a ch 723 homeowner association with the Department of State; their HOA has various powers & duties outlined in sections 723.079.

*[Amelia Shekitka - June 2017]*



## CTMH Timeshare Directory

Secondary Status: ALL Year: ALL 06/06/2017 6:30:47PM

\*\*If the report is sorted by Managing Entity or Modifier then the Week count will only reflect the group total and not the overall

Location, County	Project Count	Week(s)	Residential Units	Managing Entity Count
<b>Location: In_State</b>				
<b>Bay</b>	<b>Total: 9</b>	<b>36,305.00</b>	<b>417</b>	<b>9</b>
<b>Brevard</b>	<b>Total: 13</b>	<b>46,454.00</b>	<b>0</b>	<b>13</b>
<b>Broward</b>	<b>Total: 51</b>	<b>154,351.00</b>	<b>7</b>	<b>37</b>
<b>Charlotte</b>	<b>Total: 5</b>	<b>6,004.00</b>	<b>0</b>	<b>5</b>
<b>Collier</b>	<b>Total: 15</b>	<b>28,061.00</b>	<b>47</b>	<b>15</b>
<b>Dade</b>	<b>Total: 8</b>	<b>42,384.00</b>	<b>101</b>	<b>8</b>
<b>Escambia</b>	<b>Total: 2</b>	<b>2,052.00</b>	<b>13</b>	<b>2</b>
<b>Flagler</b>	<b>Total: 4</b>	<b>3,744.00</b>	<b>0</b>	<b>1</b>
<b>Highlands</b>	<b>Total: 2</b>	<b>1,928.00</b>	<b>0</b>	<b>2</b>
<b>Indian River</b>	<b>Total: 7</b>	<b>21,012.00</b>	<b>0</b>	<b>6</b>
<b>Lake</b>	<b>Total: 11</b>	<b>30,563.00</b>	<b>0</b>	<b>7</b>
<b>Lee</b>	<b>Total: 46</b>	<b>67,347.00</b>	<b>30</b>	<b>38</b>
<b>Levy</b>	<b>Total: 1</b>	<b>832.00</b>	<b>0</b>	<b>1</b>
<b>Manatee</b>	<b>Total: 12</b>	<b>12,265.00</b>	<b>0</b>	<b>12</b>
<b>Martin</b>	<b>Total: 1</b>	<b>1,530.00</b>	<b>0</b>	<b>1</b>
<b>Monroe</b>	<b>Total: 31</b>	<b>36,438.00</b>	<b>44</b>	<b>22</b>

# CTMH Timeshare Directory

Secondary Status: ALL Year: ALL 06/06/2017 6:30:47PM

\*\*If the report is sorted by Managing Entity or Modifier then the Week count will only reflect the group total and not the overall

Location, County	Project Count	Week(s)	Residential Units	Managing Entity Count
Okaloosa	Total: 9	27,480.00	45	9
Orange	Total: 70	869,573.00	0	64
Osceola	Total: 102	465,486.00	11	56
Palm Beach	Total: 16	54,316.00	242	16
Pasco	Total: 1	51.00	232	1
Pinellas	Total: 28	52,263.00	0	28
Polk	Total: 5	10,362.00	60	5
Sarasota	Total: 11	18,656.00	25	10
St. Johns	Total: 10	18,351.00	79	10
St. Lucie	Total: 3	8,868.00	0	3
Volusia	Total: 52	152,280.00	89	46
Walton	Total: 7	11,852.00	7	7
Location: In_State	Total: 532	2,180,808.00	1,449	432
Location: Out_State				
Foreign	Total: 19	43,019.50	10	17
Out of State	Total: 149	460,569.83	0	143
Location: Out_State	Total: 168	503,589.33	10	160
<b>Grand Total:</b>	<b>TS 700</b>	<b>2,684,397.33</b>	<b>1,459</b>	<b>591</b>

**CTMH Active Projects, Associations Declared Units Report**

Project: 8004 Year: ALL Sec Status: ALL 06/07/2017 7:57:16AM

\*\*If the report is sorted by Modifier or Association then the Unit count will only reflect the group total and not the overall total.

	Project Count	Year/ Units	Association Count
Bay	1	124	1
Brevard	5	1,126	5
Broward	306	12,226	306
Charlotte	7	1,573	7
Citrus	2	375	2
Collier	33	3,004	33
Dade	85	2,998	83
Flagler	2	412	2
Glades	1	36	1
Hernando	2	200	2
Highlands	5	959	5
Hillsborough	7	1,979	7
Indian River	5	741	5
Lake	12	3,125	12
Lee	21	5,203	21
Manatee	27	9,006	25
Martin	10	1,656	10
Monroe	3	141	3
Orange	1	916	1
Palm Beach	95	5,280	95
Pasco	14	2,632	14
Pinellas	93	17,111	93
Polk	15	3,092	15
Sarasota	33	8,867	33
Seminole	1	447	1
St. Johns	1	100	1
St. Lucie	4	1,168	4
Sumter	2	238	2

# CTMH Active Projects, Associations Declared Units Report

Project: 8004 Year: ALL Sec Status: ALL 06/07/2017 7:57:16AM

\*\*If the report is sorted by Modifier or Association then the Unit count will only reflect the group total and not the overall total.

	Project Count	Year/ Units	Association Count
<b>Volusia</b>	5	460	5
<b>Grand Total:</b>	798	85,195	794

**CTMH Mobile Home Directory**

Secondary Status: ALL Rank: ALL Year: ALL 06/06/2017 6:30:32PM

\*\*If the report is sorted by Park Owner then the Lot count will only reflect the group total and not the overall total.

County	Park Count	Lots	Park Owner Count	Prospectus	Non-Prospectus
Alachua	12	2,314	11	10	2
Baker	6	81	6	0	6
Bay	45	1,865	42	19	26
Bradford	4	102	4	1	3
Brevard	101	10,267	95	84	17
Broward	87	13,448	84	76	11
Calhoun	3	69	3	0	3
Charlotte	18	2,536	18	17	1
Citrus	42	3,574	40	33	9
Clay	3	44	3	1	2
Collier	35	3,116	30	19	16
Columbia	8	313	7	5	3
Dade	54	10,255	50	52	2
DeSoto	10	1,225	10	8	2
Dixie	2	64	2	1	1
Duval	47	7,272	43	38	9
Escambia	34	1,905	30	18	16
Flagler	8	1,049	8	8	0
Franklin	2	41	2	0	2
Gadsden	10	218	10	2	8
Glades	7	384	7	3	4
Gulf	1	18	1	0	1
Hamilton	3	49	3	0	3
Hardee	4	103	4	1	3
Hendry	16	1,168	15	12	4
Hernando	19	2,382	19	16	3

**CTMH Mobile Home Directory**

Secondary Status: ALL Rank: ALL Year: ALL 06/06/2017 6:30:32PM

\*\*If the report is sorted by Park Owner then the Lot count will only reflect the group total and not the overall total.

County	Park Count	Lots	Park Owner Count	Prospectus	Non-Prospectus
Highlands	62	6,531	56	46	16
Hillsborough	166	18,350	152	109	57
Holmes	1	20	1	0	1
Indian River	37	5,276	34	30	7
Jackson	11	172	10	1	10
Jefferson	1	75	1	1	0
Lake	87	11,990	85	74	13
Lee	76	14,777	71	64	12
Leon	26	1,940	26	13	13
Levy	7	123	7	0	7
Madison	4	60	4	0	4
Manatee	85	12,759	83	80	5
Marion	84	8,161	81	57	27
Martin	24	3,261	24	21	3
Monroe	25	1,300	25	14	11
Nassau	11	247	11	4	7
No County Defined	1	277	1	1	0
Okaloosa	30	1,043	29	8	22
Okeechobee	28	1,146	26	16	12
Orange	56	11,879	53	49	7
Osceola	38	4,930	37	30	8
Palm Beach	85	12,525	76	69	16
Pasco	95	11,833	91	78	17
Pinellas	189	26,128	182	175	14
Polk	226	31,416	216	178	48
Putnam	16	521	16	5	11
Santa Rosa	8	275	8	1	7
Sarasota	56	8,055	56	48	8
Seminole	14	2,715	14	12	2
St. Johns	14	855	14	4	10
St. Lucie	29	7,912	26	24	5

\*\*If the report is sorted by Park Owner then the Lot count will only reflect the group total and not the overall total.

County	Park Count	Lots	Park Owner Count	Prospectus	Non-Prospectus
Sumter	24	1,563	21	14	10
Suwannee	6	289	6	3	3
Taylor	4	80	4	1	3
Unlon	2	38	2	0	2
Volusia	111	17,225	105	94	17
Wakulla	2	24	2	0	2
Walton	7	100	4	0	7
Washington	1	10	1	0	1
<b>Grand Total:</b>	<b>2,330</b>	<b>289,743</b>	<b>2,167</b>	<b>1,748</b>	<b>582</b>

## **QUICK COMPARISON - Chs 718, 719, 721 & 723 FS**

### **Condominium - Ch 718 FS**

- Unit owners typically own unit in fee simple, or as leasehold
- Unit owners pay assessments to maintain common elements
- Unit owners have voting rights
- Annual fees to the division = \$4 per residential unit

### **Cooperative - Ch 719 FS**

- Cooperative association/corporation owns the property
- Unit owners typically own shares
- Unit owners pay assessments to maintain common areas
- Unit owners have voting rights
- Annual fees to the division = \$4 per residential unit

### **Timeshare plan - Ch 721 FS**

- Ownership varies by type
- Unit owners buy a timeshare period
- Unit owners pay assessments to maintain common areas
- Unit owners have voting rights
- Annual fees to the division = \$2 per timeshare period

### **Mobile home park - Ch 723 FS**

- Park owner owns the property
- Mobile homeowners rent/lease lots
- Mobile homeowners pay lot rental amount (payment for various fees & services)
- Mobile homeowners have no voting rights, except as members of optional HOA formed under ch 723 FS
- Annual fees to the division = \$5 per mobile home rental lot





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## DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES, AND MOBILE HOMES

**Upcoming Events**  
[Education Events Calendar](#)

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### Kevin Stanfield, Director

Division of Florida Condominiums,  
 Timeshares, and Mobile Homes  
 2601 Blair Stone Road  
 Tallahassee, FL 32399

Phone: 850.488.1122  
 Fax: 850.921.5446

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### ANNOUNCEMENTS

#### Pay Annual Fees Online

[Log in or create an account to pay Annual Billing Fees online.](#)

#### 2017 Legislative Changes

[Chapter 2017-22, Laws of Florida](#)

[Chapter 2017-93, Laws of Florida](#)

[Chapter 2017-122, Laws of Florida](#)

[Chapter 2017-161, Laws of Florida](#)

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## **Arbitration**

## **Homeowners' Associations**



Welcome to the Division of Florida Condominiums, Timeshares, and Mobile Homes.

*The mission of the Division of Florida Condominiums, Timeshares, and Mobile Homes is to provide consumer protection for Florida residents living in the communities we regulate through education, complaint resolution, mediation and arbitration, and developer disclosure.*

The Division has the power and duty to enforce and ensure compliance with the provisions of the following statutes:

- The Condominium Act, Chapter 718, F.S.
- The Cooperative Act, Chapter 719, F.S.
- The Florida Mobile Home Act, Chapter 723, F.S.
- The Florida Vacation Plan and Timesharing Act, Chapter 721, F.S.
- The Yacht and Ship Brokers Act, Chapter 326, F.S.
- Homeowners' Associations, Chapter 720, F.S. (jurisdiction limited to arbitration of election and recall disputes)

For information about our regulatory programs, please choose from the Division program links on the left.

### **Division Organization**

### **Condominium Ombudsman Election Monitor Appointments**

### **Annual Report**

### **Declaratory Statement Information**

### **Rule Promulgation**

### **Contact the Division**

### **Education Information**

**2601 Blair Stone Road, Tallahassee FL 32399** :: Email: **Customer Contact Center** :: Customer Contact Center: 850.487.1395

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Please see our **Chapter 455** page to determine if you are affected by this change.

**Amelia Galván Shekitka**  
**Bureau of Standards & Registration**  
**Division of Florida Condominiums, Timeshares, and Mobile Homes**  
**Tallahassee, Florida**

Amelia Shekitka has been Chief of the Bureau of Standards & Registration since March 2015. Ms Shekitka began her tenure with the division in May 1998 as a condominium Real Estate Development Specialist (REDS), then as a REDS supervisor from 2003 to 2015. The Bureau is responsible for the review of offering documents for condominiums, cooperatives, mobile home parks, and timeshare plans.

Prior to her work with the Division, Ms. Shekitka worked with the Florida Department of Financial Services, was a teacher of English as a 2nd language (ESOL), and is bilingual (English/Spanish). Ms. Shekitka holds a degree in Psychology.

Ms Shekitka has presented seminars and workshops on condominium issues at the University of Miami Law Center's Condominium & Cluster Housing Institute, as well as workshops on cooperative and mobile home park issues at various locations in the State of Florida as part of her responsibilities with the Division of Florida Condominiums, Timeshares & Mobile Homes.

***CONTACT INFORMATION***

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