

Unit

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

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

Petitioner,

v.

CASE NO. 2025039585

BRICKELL KEY ONE CONDOMINIUM ASSOCIATION, INC.

Respondent.

\_\_\_\_\_ /

**CONSENT ORDER**

Petitioner, the State of Florida, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes (Division), and Respondent, Brickell Key One Condominium Association, Inc. (Respondent), stipulate and agree to the terms and issuance of this Consent Order, pursuant to sections 120.57 and 718.501, Florida Statutes, as follows:

**PRELIMINARY STATEMENT**

1. The Division is the state "agency," as defined by section 120.52(1), Florida Statutes, statutorily responsible for the enforcement of the Florida Condominium Act, Chapter 718, Florida Statutes, and the Division's administrative rules.
2. The Division has investigated Respondent for certain alleged violations of Chapter 718, Florida Statutes, in Division investigative file number 2025039585.
3. Respondent desires to resolve this investigation without formal administrative or judicial proceedings that might be available.

4. Respondent and the Division agree that the statutory citations referenced in this Consent Order are intended to reference the correct statutory citations for the year(s) in which the violation(s) occurred as well as the Division's proper enforcement authority, and that any errors in such statutory citations are not substantive or prejudicial to either party.

5. Brickell Key One Condominium Association, Inc. is a "residential condominium," as defined in section 718.103(26), Florida Statutes, containing three hundred and one (301) residential units located in Miami-Dade County, Florida.

6. Respondent is the condominium "association," as defined in section 718.103(3), Florida Statutes, which operates Brickell Key One, a Condominium.

7. On May 16, 2025, the Department received a complaint from a unit owner alleging that Respondent failed to submit a notice of availability to each unit no later than 120 days after the end of the fiscal year for FY2024.

8. Respondent's fiscal year tracks the calendar year, and thus, Respondent must provide a notice of availability to residents no later than April 30 of the subsequent year.

9. Respondent admits that it failed to send the notice of availability for FY2024 financial statements to unit owners by April 30, 2024, and there is competent substantial evidence to support this fact.

#### **CONCLUSIONS OF LAW**

10. The Division has jurisdiction over these proceedings pursuant to Chapters 120 and 718, Florida Statutes, and can enter into this Consent Order, assess civil penalties, and consider evidence that mitigates violations per sections 120.57 and 718.501(1)(d), Florida Statutes.

11. In violation of section 718.111(13), Florida Statutes, Respondent failed to provide unit owners with a notice of availability "no later than 120 days after the end of the fiscal year or other date as provided in the bylaws," and the Respondent agrees there is competent substantial evidence to support this conclusion of law.

## AGREEMENT

### 12. Civil Penalty and other relief:

(a) Respondent shall remit to the Division a civil penalty in the amount of **Five Thousand Dollars and No Cents (\$5000.00)** by certified check, cashier's check, or money order made payable to **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION** as a condition precedent to the Division's execution of this Consent Order.

(b) Within forty five (45) days after receipt of this Consent Order, as signed by both parties, Respondent's Board of Directors shall enroll in and complete the following education course offered by the Division: "Condo Financial Reporting Presentation," or contact the Division to schedule specialized Board Member education training in Finances; and submit proof of course completion.

(c) Respondent agrees to maintain its copy of this Consent Order as part of the Association's official records, in accordance with section 718.111(12), Florida Statutes, and Rule 61B-23.002(7)(b), Florida Administrative Code.

(d) Respondent agrees that all items it has agreed to remit, provide, submit or in any way furnish to the Division shall be sent by certified mail, return-receipt requested, with the case number(s) readily identifiable to the following address:

**Bureau of Compliance  
Division of Florida Condominiums, Timeshares, and Mobile Homes  
Department of Business and Professional Regulation  
2601 Blair Stone Road  
Tallahassee, Florida 32399-1030**

(e) Respondent agrees that satisfaction of the terms of this Consent Order shall not occur until all items that Respondent has agreed to remit, provide, submit or in any way furnish to the Division have actually been received by the Division at the address above.

13. **Attorney's fees and prevailing party.** The Division and Respondent agree that Respondent, through rendition of this Consent Order, is not a "prevailing small business party" as

defined by section 57.111, Florida Statutes, and it is mutually agreed that Respondent shall bear its own costs and attorney's fees that are in any way associated with this action.

14. **Duress.** Respondent acknowledges and agrees it has entered into this Consent Order without duress and for the uses and purposes stated in this Order.

15. **Effectiveness.** This Consent Order is effective on the last date executed below and upon its issuance it shall be a final administrative Order. This Consent Order is fully enforceable by the Division under the provisions of sections 120.69 and 718.501, Florida Statutes.

16. **Failure to Comply.** As acknowledged and agreed between the Division and Respondent, this Consent Order is directly enforceable by petition to the Circuit Court of Leon County, Florida, as provided by section 120.69, Florida Statutes. For any violation by Respondent of the provisions of this Consent Order, Respondent understands the Division shall bring such action as is necessary to seek compliance with Chapter 718, its administrative rules, and the provisions of this Consent Order. This Consent Order does not constitute a waiver of the rights of Respondent to a contested hearing on any subsequent alleged violation of this Order.

17. **Future actions.** Nothing in this Order shall be construed to waive or restrict the Division's right to initiate any action against Respondent pursuant to Chapters 120 and 718, Florida Statutes, including, but not limited to, administrative or civil action or referral for criminal prosecution if facts or information not presently known or available to the Division come to its attention subsequent to the execution of this Consent Order. The Division expressly reserves all rights to pursue such remedies should a cause of action exist. This agreement shall be binding upon the parties their successors and assignees.

18. **Releases.** Respondent, for itself and any legal representatives, administrators, successors, and assigns, hereby, without reservation, voluntarily releases, waives, absolves, and forever discharges, to the full extent permitted by law, the Division and its employees, agents, successors, appointed officials, assigns, representatives, any and all other officials and employees of the State of Florida, and legal representatives, all in their official and individual

capacities, and including former members of any of the foregoing groups, from any and all claims, demands, actions, judgments, causes of action, or suits at law or in equity, of any kind and nature, whether these claims are known to Respondent at this time or unknown, suspected or not suspected, or by reason of any damage, injury, or loss, including but not limited to, actual damages, compensatory damages, punitive damages, attorneys' fees, interest, costs, other special damages, general damages, and/or other equitable relief arising out of this administrative proceeding. The Division accepts this release and waiver by Respondent without in any way acknowledging or admitting that any such cause of action does or may exist.

19. **Time.** Time is of the essence in this Consent Order.

20. **Waivers.** Respondent knowingly and voluntarily waives:

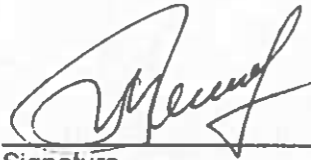
(a) any right to an administrative hearing provided by Chapters 120 and 718, Florida Statutes;

(b) any right to the issuance of a recommended Order by an administrative law judge from the Division of Administrative Hearings or from the Division; and

(c) all rights to object to or challenge in any judicial proceeding, including but not limited to, an appeal pursuant to section 120.68, Florida Statutes, any aspect, provision or requirement concerning the content, issuance, procedure or timeliness of this Consent Order.

21. **Entire Agreement.** This Consent Order embodies the whole agreement of the parties. There are no promises, terms, conditions, or agreements other than those contained herein and this document shall supersede all previous communications, representations, and or agreements whether written or verbal, between the parties hereto.

WHEREFORE, Respondent, Brickell Key One Condominium Association, Inc., by its duly authorized representative, June 3rd, 2026, pursuant to the following certified resolution agrees to the terms, conditions and issuance of this Consent Order on this 27<sup>th</sup> day of April, 2026.



Signature

Olena Biletska

Print Name

President

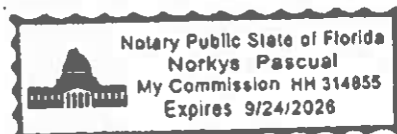
Title

State of FL  
County of Miami-Dade

THE FOREGOING INSTRUMENT, CONSENT ORDER, WAS ACKNOWLEDGED BEFORE ME ON THIS 27<sup>th</sup> DAY OF April, 2026 BY Olena Biletska WHO PRODUCED IDENTIFICATION IN THE FORM OF \_\_\_\_\_ WHICH WAS EXAMINED BY ME, AND WHO (DID)/(DID NOT) TAKE AN OATH, AND ACKNOWLEDGE THAT HE/SHE IS THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT.

(SEAL)

Norkys Pascual, Notary Public  
State of Florida.



**CORPORATIONS MUST COMPLETE THE FOLLOWING PARAGRAPH TO THIS ORDER.**

BE IT RESOLVED, THAT ON \_\_\_\_\_, 2026, a meeting of the Board of Directors was held pursuant to legal notice and that the Officer's signature appearing on this Consent Order, executed in Case No. 2025039585 on behalf of this Corporate Respondent, is duly authorized, empowered and directed to execute the Consent Order on behalf of the Corporation and is further empowered to execute any other documents necessary to fulfill the intent of the Consent Order.

IN WITNESS WHEREOF, I have hereunto set my HAND AND SEAL of this Corporation on this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
CORPORATE PRESIDENT'S SIGNATURE

CORPORATE SEAL

\_\_\_\_\_  
REPRESENTATIVE/ATTORNEY

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(Address, Telephone)

\_\_\_\_\_  
CONTACT PERSON

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(Address, Telephone)

DONE AND ORDERED in Tallahassee, Leon County, Florida on this \_\_\_\_\_ day of \_\_\_\_\_, 2026.



\_\_\_\_\_  
Jennifer Moore, Director  
Division of Florida Condominiums,  
Timeshares, and Mobile Homes  
Department of Business and  
Professional Regulation  
2601 Blair Stone Road  
Tallahassee, Florida 32399-1030

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of this Consent Order has been furnished by U.S. Certified Mail to Priscilla Zaldivar, Esq., Halpern Rodriguez, 355 Alhambra Circle, Suite 1101, Coral Gables, Florida, 33134 on this \_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
AGENCY CLERK'S OFFICE