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State of Florida



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: JANUARY 5, 1995
 TO: DIVISION OF LEGAL SERVICES (CROSBY)
 DIVISION OF RECORDS AND REPORTING
 FROM: DIVISION OF WATER AND WASTEWATER (COKER) *JC ASM*
 RE: DOCKET NO. 941044-WS; RESOLUTION OF BOARD OF COUNTY
 COMMISSIONERS OF CHARLOTTE COUNTY SUBJECT TO PROVISIONS
 OF CHAPTER 367, F.S.

On November 21, 1994, this Commission received an application from Casa Del Mar Estates Mobile Home Park for a landlord-tenant exemption for water and wastewater service pursuant to Section 367.022(5), Florida Statutes. Staff has determined that Casa Del Mar Estates Mobile Home Park meets the requirements for status as a landlord providing service to tenants without specific compensation. The charges are non-specifically contained in rental charges for the service as provided in Section 367.022(5), Florida Statutes. The applicant is a corporation, operating as a rental property business. Casa Del Mar Estates Mobile Home Park provides water and wastewater services solely for the use of its guests without separate additional charges.

The Wilder Corporation owns Casa Del Mar Estates Mobile Home Park. Mr. Thomas L. Merrell, Corporate Secretary, signed the application on behalf of the Wilder Corporation. Mr. Merrell submitted a sample lease, used in rentals, which does in fact substantiate that claim. Water service will be provided by a well, and wastewater service provided by an on-site wastewater treatment facility. The service area is identified by the following description: 29200 Jones Loop Road, Punta Gorda, Florida 33950. The park has two hundred-forty lots and consists of seventy-seven acres. The mailing address of Casa Del Mar Estates Mobile Home Park is 3000 Gulf to Bay Boulevard, Sixth Floor, Clearwater, Florida 34619.

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In summary, staff has determined that Casa Del Mar Estates Mobile Home Park meets the necessary qualifications for an exemption pursuant to Section 367.022(5), Florida Statutes and Rule 25-30.060(3)(e), Florida Administrative Code. The applicant substantiated that services will be provided solely to its guests. In addition, Mr. Merrell acknowledged Section 837.06, Florida Statutes, regarding false statements.

Staff further recommends that the order require Casa Del Mar Estates Mobile Home Park to notify this Commission in the event of any change of circumstances or method of operation of its water and wastewater systems. Furthermore, staff recommends that this docket remain open for receiving other exemption requests.

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DOCUMENT NUMBER-DATE

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