

1:40pm

DATE: January 5, 1995
TO: DIVISION OF LEGAL SERVICES (VACCARO)
DIVISION OF RECORDS AND REPORTING

FROM: GERALD D. EDWARDS, DIVISION WATER AND WASTEWATER

RE: DOCKET NO. 941044-SU; RESOLUTION OF BOARD OF COMMISSIONERS OF CHARLOTTE COUNTY DECLARING CHARLOTTE COUNTY SUBJECT TO PROVISIONS OF CHAPTER 367, F.S.

In accordance with Chapter 367.022(5), Florida Statutes, "landlords providing service to their tenants without specific compensation for the service" are not subject to regulation by the Commission. On November 14, 1994, Harborview Mobile Home Park (Harborview or applicant) applied for a Landlord-Tenant Exemption for its wastewater system as provided for in Section 367.022(5), Florida Statutes. The owner and primary contact person is Mr. Finnegan. Mr. Finnegan's and Harborview's mailing address is 24325 Harborview Road, Charlotte Harbor, Florida, 33980. Wastewater service will be provided only to the tenants of Harborview Mobile Home Park by the applicant. Water service will be provided by the Charlotte Harbor Water Association and wastewater service will be provided by Harborview's small wastewater treatment plant.

This application is in compliance with Section 367.022(5), Florida Statutes, and Rules 25-30.060(3)(e), Florida Administrative Code. The following items were included in the application:

- ACK _____ 1) *A statement from the landlord indicating that water and wastewater services would be provided solely to tenants, and that charges for services are non-specifically contained in rental charges.*
- AFA _____
- APP _____
- CAF _____ (2) *A copy of the park's prospectus.*
- CMU _____ (3) *Mr. Finnegan's signature denoting acknowledgement of Section 837.06, Florida Statutes regarding false statements.*
- CTR _____

EGG _____ Pursuant to Section 2.08(C)(14) Administrative Procedures Manual, staff has been given administrative authority to approve clear-cut or non-controversial requests for determination of exempt status. Staff recommends that an administrative order be issued as soon as possible finding Harborview Mobile Home Park exempt from Commission regulation pursuant to Section 367.022(5), Florida Statutes. In addition, staff recommends that the order require Harborview Mobile Home Park to notify this Commission of any change of circumstances or method of operation pertaining to its wastewater system.

WIG _____
JTH _____

cc: Charles H. Hill

DOCUMENT NUMBER-DATE
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FPSC-RECORDS/REPORTING