



Condo Regulation

Lauded condo ombudsman to quit post for another job in government

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By: Terry Sheridan

Danille Carroll, the state official to whom thousands of disgruntled condo owners turned with complaints, is resigning and will take another government job next month.

State Rep. Julio Robaina said Florida's condo ombudsman told him last week she intends to leave but declined to disclose her new position.

Carroll was not asked to resign, said Robaina, who pushed for creation of the ombudsman post in 2004.

No formal announcement of her resignation has been made by state officials. A replacement has been chosen, but Robaina would not identify the candidate.

Carroll did not return phone calls to her office within the division.

"It's someone who works for the state and knows condos and homeowner association laws," he said. "It's someone we think would be a perfect fit who would hit the ground running and not skip a beat."

The new ombudsman is expected to be announced by the end of August.

Robaina said Carroll's successor is neither Michael Cochran nor Bill Raphan. Cochran is director of the Florida Division of Condominiums, Timeshares and Mobile Homes. Raphan is the Fort Lauderdale-based assistant ombudsman who was an informal aide to the state's first ombudsman, Virgil Rizzo.

Rizzo, whose outspoken criticism of state government and willingness to tangle with politically powerful law firms ultimately made him a pariah in Tallahassee, was dismissed by then-Gov. Jeb Bush in June 2006 after 18 months on the job.

Cochran and Rizzo did not return phone calls seeking comment.

Raphan said Carroll “mended all the fences and did all the right things, not that Virgil didn’t, but she was able to come in in a more neutral way.”

That produced a dramatic increase in inquiries from condo board members, property managers and attorneys, he said.

“It’s not just disgruntled unit owners anymore, and that’s to her credit,” Raphan said.

A native of Miami-Dade County, Carroll, 41, was a condo novice when she became ombudsman. She was an assistant general counsel in the state Health Department when Simone Marsteller, then secretary of the Department of Business and Professional Regulation, asked Carroll if she’d be interested in the job. That was May 30, 2006 — and Carroll was on the job June 2 at an \$80,800 salary that matched Rizzo’s.

The position now pays \$83,232, and the ombudsman’s office has an annual budget of \$536,535, said attorney **Donna Berger** of **Katzman Garfinkel** in Fort Lauderdale, executive director of the Community Advocacy Network.

While she also did not know why Carroll is leaving, Berger described the position as a tough, extremely time-consuming job.

“She has eight full-time employees and two part-time, and [callers] still want to talk to the ombudsman,” Berger said. “She has no life of her own, and that will wear anyone down. I see a lot of potential burnout in that office.”

Attorney Gary Poliakoff of Becker & Poliakoff in Fort Lauderdale said Carroll turned around a position that had been problematic.

“She took over an office that was suspect from the standpoint of whether it was there to be an impartial facilitator to help resolve conflicts between unit owners and associations, or primarily advocate for the [condo and homeowner association activists] Cyber Citizens for Justice and others,” Poliakoff said.

“She cleaned house and brought credibility to the position.”

One of the biggest challenges facing her successor will be an expected move in the Legislature next year to regulate homeowner associations, Berger said.

That would raise the question of whether the condo ombudsman would also have to deal with homeowner associations or if a second ombudsman would be appointed to take on those duties.

“It’s hard enough overseeing 26,000 condo associations and co-ops in the state; and add 25,000 [homeowner associations] into the mix,” Berger said.

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