

**Work Shop Meeting**  
**Lake Point Village, Mulberry, Florida**  
**Wednesday, January 10, 2018**

On Wednesday, January 10, 2018 the Home Owners Association Communications Workshop for Sun Communities in Florida was held at Lake Point Village in Mulberry, Florida with Thirty-One in attendance representing eight communities. Lake Point Village Home Owners Association served a very nice lunch for those that arrived early with refreshments available during the workshop.

**Communities Represented:**

They were Cypress Green, Forest View Estates, Lake Julianna Landing, Lake Point Village, Lamplighter, Park Royal, Plantation Landings, and Blue Heron Pines.

The Sun Community Workshop opened after a lunch at Noon with Colin Phelps presiding over the meeting. The workshop focused on topics of common interest as the group openly discussed the various points of interest on issues impacting 55+ Communities.

We began the meeting at 12:10 pm with the Pledge of Allegiance and a silent prayer for our armed forces and neighbors.

Jerry Durham, newly elected State FMO President was our guest speaker. He was elected to the post on December 7, 2017 at the State FMO Assembly in Kissimmee. He explained the structure of FMO officers: President, Vice President, Treasurer, Section Directors, Director-at-large, District Officers and various committees. The FMO is currently assembling committees. Their focus is on an Education Plan and Comprehensive Plan.

Jerry joined the FMO in 2011 and in 2013 wrote amendments to FS723 for the 2014 session. He found sponsorship, but didn't get any further because of the process that bills have to go through to receive a vote on the floor. They have to be approved by the President of the Senate and the Speaker of the House, then they must pass through three committees assigned by the Senate President and the House Speaker. After passing through all three committees in both the House and the Senate, then they will reach the floor to be voted on. It's an arduous process.

Jerry explained that in the past the FMO had over 90,000 members statewide. Currently, they have about 20,000. Present day apathy in communities has a lot to do with the membership drop. It is difficult to get people to join and / or volunteer. There is power in unity, but hard to get residents involved.

FMO has an active lobbyist in Tallahassee, Nancy Black Stewart. She has been active for 40 years in the legislature.

In 2015 the FMO set goals for bills in Tallahassee for Board Certification Training for HOA Directors. The legislation was passed. It is now a requirement for all new HOA Directors to receive the training or self certify that they have read all pertinent documents (ex. Prospectus, Community Bylaws. Etc) and that they have a knowledgeable understanding that is required to sit on the Board of Directors.

FMO meets with FMHA (Assn of MH Community Owners) to try to negotiate bills with common goals to present as a bill to clarify FS 723 to the legislature in Tallahassee. (Ex worked on changing a quorum from 50% to 30%, one vote per household, directors vote for their officers not the entire HOA)

At present there is a stalemate in Tallahassee because big owners(ELS, SUN, Hometown America) have the power and money through FMHA to block many FMO efforts. We have in the past had a strong voice and advocate for us with Sen. Jack Latvala. He is gone now and we need to find a new voice for our needs. Negotiation is the only way bills can be passed in Tallahassee. FMO must negotiate with FMHA and find agreement before anything can be presented in Tallahassee.

### **Here is a sample of differences:**

#### FMO Wish List and FMHA Wish List

- Binding arbitration New prospectus with each resale.
- Unbundling of services Do away with lease assumption.
- Notice when prospectus changes Rules enforcement sent to DBPR for review.
- Base rent clarification take one amenity away and replace it with another chosen by the of Community Owner.
- Tree issues clarified.
- Approval to changes exterior of your home.
- Right of first refusal across.

FMO sponsored Consolidated Legal Fund a group of communities that participate in donating to a fund that is available for any participating community to “borrow” from the fund in the event of legal action they feel they need to pursue. Their issue must be one that would set legal precedent that would impact all communities in the State. Each community that joins makes a commitment to donate \$3000 within a 5 year period. There are currently 29 member communities and a commitment of \$87,000. The goal is \$200,000. Using Consolidated Funds, a community will receive monies and then have to repay monies to Fund IF their case is won.

FMO is looking for a way to educate prospective buyers before they sign for the prospectus that Park owners usually have them sign at their closing. The buyer is entitled to the prospectus that goes with the house and are not required to accept the one that Park

Owners present to them. The buyers have 15 days after signing to negate the signature, but they often do not learn of the existing prospectus that goes with their home until the 15 days have past. Once prospectus is signed, you have 15 days to negate it if you find an error has been made.

Colin explained the “creative accounting “ that SUN is using to calculate the Non-Ad Valorum Taxes. He explained that SUN is giving us the 4% discount AFTER they deduct the Base Figure, when it should be deducted from the Total Tax charged BEFORE the Base figure is deducted. FS723 does not state how the Non-Ad Valorum and Ad-Valorum tax is calculated.

**Change has been in discussion for possible adjustment to FS 723.**

10% Cap on Commercial Real Estate this is set to expire in 2019. This is something that needs to be pushed for renewal.

Legislature wants to increase credit on stick built Real Estate credit from \$50,000 to \$75,000.

As it is now understood in FS 723, It is the Homeowner’s responsibility to pass on the Original prospectus, that comes with the home, on to the new buyer.

Rumor that SUN is promoting a payment of \$300 to \$400 to give to seller of home so the Park Owner can give new buyer a new prospectus rather than the original that they are entitled to receive.

FMO has a discount deal with Office Max and Office Depot - \$.02 per copy black & white, one sided.

Next meeting Wednesday, April 11th, 2018 at Lake Pointe Village 277 Lake Erie Drive, Mulberry, Florida 33860 on Wednesday, April 11, 2018 at Noon time.

The guest speaker will be representatives from Sun Communities. Will update you later who the representatives will be. Look forward to seeing everyone then. If you have items that should be discussed at this meeting please let me know. If you have any questions or suggestions you can reach me by e-mail [colinwent@hotmail.com](mailto:colinwent@hotmail.com) or by phone 941-740-2583.

Colin Phelps  
Blue Heron Pines