

FEDERATION OF MANUFACTURED/MOBILE HOME OWNERS

MEETING MINUTES FOR DISTRICT 12 MEETING

Date: February 20, 2018 Time: 10:00 AM - Noon

Location: Coral Cay Plantation, 2801 NW 62nd Ave., Margate, FL 33063

Facilitator: Calvin McQueen, District 12 (Broward, Monroe, Dade counties) President

Attendees (20): 8 Coral Cay, 9 Deerfield Lake, 2 Everglade Lakes, 1 Golfview

Discussion:

- Jerry Durham, FMO Board President presented:

- **Negotiating with Park Owner:**

Florida Statute 723.037 provides that, when notice is given of a rental increase, reduction in services or utilities provided by the park owner, or change in rules and regulations, a committee not to exceed five in number designated by a majority of the affected manufactured/mobile homeowners, or by the board of directors of the homeowners' association, if applicable, shall meet with the park owner **within 30 days** (no later than 60 days prior to effective date of change) to discuss the reasons for the increase in lot rental amount, reduction in services or utilities, or change in rules and regulations.

Remember that you can have more than one meeting with your park owner if everyone is agreeable, but a request for mediation must be made within 30 days after the first meeting with the park owner.

F.S. 723.037 provides that the park owner or subdivision developer at this meeting shall in good faith disclose and explain all material factors resulting in the decision to increase lot rental amount, reduce services or utilities or change rules and regulations. If an increase is based upon lot rental amounts charged by comparable manufactured/mobile home parks, the park owner is required to disclose the name, address, lot rental amount and any other relevant factors concerning the manufactured/mobile home parks relied upon by the park owner. These disclosures must be in writing and a copy must be given to the homeowners' committee.

If your notice contains specific items that are stated to have increased, verify these increases. It cannot be emphasized enough that you must be prepared and have as much knowledge at hand regarding the operation of the park as you can possibly obtain to take with you to the negotiating table. The public library can give you the Consumer Price Index or Cost of Living figures if your increases are tied to such an index.

The park owner's disclosures must be in written form and the committee must be given a copy. Remember the number-one rule of negotiations—both sides want to win. Therefore, be prepared to give up a lesser point so that you can win a more significant point. Both parties should feel that they "win" some points.

If the negotiating meeting is not successful, you may wish to file for mediation. The petition for mediation must be filed within 30 days of the meeting with the park owner.

TIPS FOR A SUCCESSFUL MEETING

1. Be Prepared

- ✓ Know your prospectus.
- ✓ Obtain comparable park data.
- ✓ Research park operating costs.
- ✓ Concentrate on the issues that are relevant to the rent increase

2. Have an outline

- ✓ Have your research in writing
- ✓ Prepare copies for the park owner

3. Get all agreements in writing

- **Consolidated Legal Fund:**

Why is the fund necessary?

- Most HOAs lack the financial leverage to negotiate with park owners
- Most parks today are owned by major corporations with money, lobbyist and organization
- Initiating legal action against a well-funded corporation is too costly for most individual HOAs
- Most legal action will begin in Circuit Courts and very likely will be appealed to the next level
- Legal fees become more expensive the further you get in the court system

How do we address this need?

- Establish a legal defense “Super Fund”
- Funded by member HOAs. \$1,000 initial subscription with an additional \$2,000 over 4 years
- Objective is to raise at least \$500,000 in 2 to 5 years
- There are 1700 eligible parks in the state
- **One vote per household:** This is a regulation that existed since 1984. FMO chose to add it to FS 723. HOA’s are not to change this statute.
- **≥ 55 community:** HUD law...inspection is required for certification. 80% must have 1 homeowner ≥ 55. The remaining 20% is up to the HOA rules which are sent to DBPR for approval.
- **FMO on Facebook now**
- Roundtable discussion:
 - **Deerfield Lake:** Gated ≥ 55 community. 346 homes (4 unoccupied), approx. 23 for sale – price range from \$1500 to \$115,000. There are 41 FMO members (12% of residents). Owned by Deerfield Lake Associates LTD (Florida Limited Partnership) in Farmington Hills, Michigan. Base lot rent (including rent increase) from \$714 to \$765 (includes lawn moving & treatment, lawn sprinkling system and lake water). Not included: sewer, water, trash, taxes on non-ad valorem assessments. 2018 rent increase \$25/ month for all lots. Amenities include clubhouse, pool, laundry, shuffleboard, putting green, bocce ball, exercise room, lake water for lawn sprinkler. Activities include bingo, pool aerobics, bowling, coffee klutch, card party, social parties, women’s lunch, men’s breakfast. There is an HOA consisting of 4 officers and 3 directors. No HOA dues for residents. Misc.: Neighborhood watch is active, pet registration with a copy of rabies vaccination verification requested by management, parking on streets not allowed after 11 PM, car decals in effect, pool closes at 11 PM.
 - **Everglades Lakes:** Gated ≥ 55 community. 600 homes. No resident under 18 yrs. allowed. Park owned by a family trust since 1972. 2018 rent increase is \$20/month. Range of lot rent \$650 - \$680 – there are 6 rent levels. Lawn maintenance is included in rent. Water & sewer costs are not included (approx. \$60/month). HOA consists of 9 board members (4 officers and 5 directors). Amenities: clubhouse, 2 pools, billiards, shuffleboard, putting green. There is a Crime Watch. Management bought a used golf cart which is used in two shifts from 6-8 PM & 8-10 PM every night. It is gated with a security officer 24/7 which costs approx. \$100,000/yr. (included in rent). An emergency gate (for fire and rescue) is being installed in addition to the one existing gate. The members have been trying to amend the HOA rules...it’s been over 3 years waiting for DBPR approval. Currently renovating restrooms and showers. Sound system to be installed.
 - **Golfview:** 287 MH lots, 427 RV lots. Rent is \$717 which includes the 2018 rent increase of \$12. Increase is determined by cost of living.
 - **Coral Cay Plantation:** Gated ≥ 55 community. 819 homes (approx. 150 rentals). Residents included approx. 25% Canadians & snowbirds. New manager started Feb. 1, 2018. Owned by ELS. 2018 rent increase for next three years (year 1 - 3.75%, year 2 – 3.85%, year 3 - 3.95%). Rents from \$690 - \$880 with additional \$62/month pass thru. HOA fee - \$15/year (receive discounts at parties and 2 free events). Amenities: 2 pools, bocce, exercise room. Security guard 4 PM – 4 AM.

Next Meeting: March 14, 2018 at 10 AM – Noon at Deerfield Lake MH Community, Agenda: Guest speaker from Dillon Home Insurance

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