

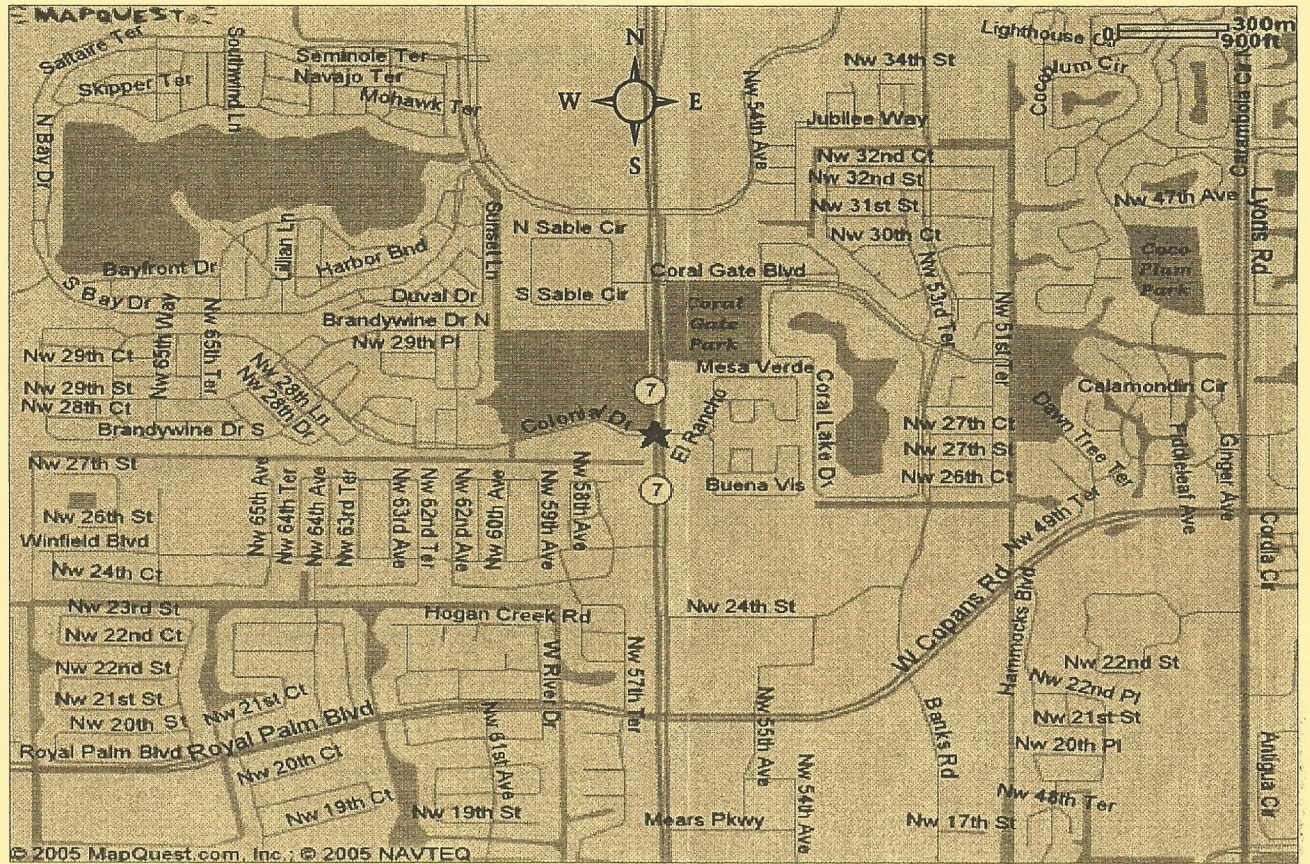
FMO District 12

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

Wednesday
February 11, 2015
10:00 a.m.
(Coffee & Donuts at 9:30)

Park Contact

Sal Fabio
954.935.0501



AGENDA

1. Call to Order
2. **Guest Speaker: Lee Jay Colling**
FMO Legal Counsel
Topic: Answering Questions from
the Audience.
3. Old Business/New Business
4. Adjournment

Directions

Coral Cay is at the junction of State Road 7(441) & Colonial Dr. in Margate.
Turn West on Colonial Dr. (the Northwest Medical Center) is on the corner.
Drive into the park, go past security guard and proceed to the Heritage Club.



**Why go it alone...
Carpool!**

IMPORTANT: All Manufactured Home Owners are invited. You DO NOT have to be an FMO member to attend.

**FMO 2015 PROPOSED AMENDMENTS
TO CHAPTER 723, F.S.**

Prepared by:

Lee Jay Colling, FMO General Counsel and Nancy Black Stewart, FMO Legislative Counsel

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|--|------------------------------------|
| Definitions..... | 723.003(5), and (16) - (25) |
| Power and duties of the Division (<i>Board Training</i>)..... | 723.006 |
| Code Enforcement..... | 723.023 |
| Right to receive 90-day notice cannot be waived..... | 723.037(1) |
| Unreasonable early notices / 60 days prior to meeting..... | 723.037(4)(a) |
| Authorization to discuss "other matters" at meeting..... | 723.037(4)(a) |
| Surviving spouse assuming lifetime and automatic renewing leases..... | 723.059(5) |
| Removal of relocation board members by Nominating entity..... | 723.0611(1)(a) and (b) |
| Amendments to Articles of Incorporation and By-laws..... | 723.078 |
| a) Remove limitations regarding 723.071(1)..... | 723.078 |
| b) Clarify election of officers..... | 723.078(2)(a)1 |
| c) Change quorum/clarify voting requirements and proxies..... | 723.078(2)(b) |
| d) Expand methods of Board and Committee meetings..... | 723.078(c) |
| e) Clarify methods of member meetings..... | 723.078(d) |
| f) Requirements for minutes..... | 723.078(e) |
| g) Amendments to Articles of Incorporation and By-laws..... | 723.078(h) |
| h) New recall methods..... | 723.078(i) |
| New Recall Rules..... | 723.1255 |
| Board training requirements..... | 723.0781(new) |
| Official Records/Access..... | 723.079 |

District 12 Officers

**Consider
Volunteering
To Be
A Officer**



**Our meetings are open to
ALL manufactured home
owners.**

Attention Park Contacts

PLEASE POST AND
GIVE EXTRA COPY
TO YOUR HOA IF
APPLICABLE

**YOUR HELP IS THE KEY TO A
SUCCESSFUL MEETING!**

FMO is the only
organization looking out for your rights
as manufactured home owners.

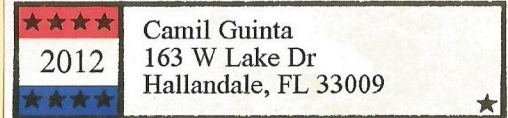
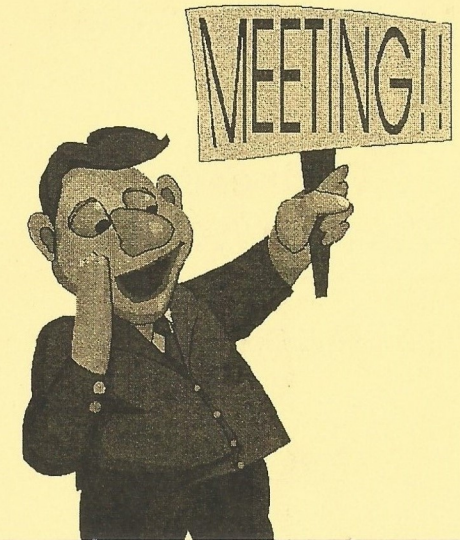
Get involved!
Bring your neighbors.
Bring your friends.
Most importantly...
bring yourselves.



Federation of Manufactured Home
Owners of Florida, Inc.

4020 Portsmouth Rd.
Largo, FL 33771
Phone: 727.530.7539
Fax: 727.535.9427
Website: www.fmo.org

**FMO
District 12
Meeting**



Federation of Manufactured
Home Owners of Florida, Inc.

**WEDNESDAY
FEBRUARY 11TH**

**CORAL CAY
PLANTATION
MARGATE**

“55 & Over”



Housing for Older Persons

1. The Florida Legislature, in 1983, adopted Chapter 760.20 through 760.37, Florida Statutes, which has been designated as the Florida “Fair Housing Act.” Section 760.23, provides that it is unlawful to refuse to sell or rent, or otherwise make unavailable, a dwelling to any person because of race, color, national origin, sex, handicap, familial status, or religion.
2. However, Sections 760.29 through 760.37, Florida Statutes, provide, among other related provisions, exceptions to these prohibitions against discrimination. Section 760.29(4)(a), Florida Statutes, specifically provides that the provisions of the Fair Housing Act regarding “familial status,” do not apply with respect to “housing for older persons.” “Older persons” means persons 55 years of age or older. “Familial status” is established when a person under 18 years of age is living with a parent or person having custody thereof.

Housing for older persons means housing:

1. Provided under any State or Federal program operated to assist older persons;
2. Intended for and solely occupied by persons 62 years of age or older, or;
3. Intended for and operated for occupancy by persons 55 years of age or older that meet the following requirements:
 - a. at least 80% of the occupied units are occupied by at least one person 55 years of age or older.
[NOTE: This means “occupied” not “owned.”]
[NOTE: The remaining 20% may be occupied by persons under 55 including “some small numbers of families with children”, surviving spouses, or heirs of a senior resident.]

- b. the community publishes and adheres to policies and procedures that demonstrate the intent required by the Fair Housing Act, including:
 - 1) governing documents of the community show intent to be a 55+ community;
 - 2) governing documents provide a prohibition against residents 18 years of age or younger. [NOTE: Minimum age requirements of the other occupants, of 45, 40, 35, etc., meet this requirement];
 - 3) community complies with HUD and Florida Fair Housing Act regarding requirements for verification of age compliance by reliable surveys and affidavits.
- 4. Community Owner must, every two years, verify that the Community has 80% of its units occupied by at least one person 55 years of age or older.
 - a. Community Owner must develop procedures for determining age of occupants (can be done as part of normal leasing procedures).
 - b. The procedures must provide for regular updates of original age information, by surveys or otherwise.
 - c. Updated surveys to verify age requirements must be done by the Community Owner every two years.
 - d. Documents that can be relied upon for age verification include:
 - 1. Driver's License.
 - 2. Birth Certificate.
 - 3. Passport.
 - 4. Immigration Card.
 - 5. Military identification.
 - 6. Governmental documents containing birth date.
 - 7. An Affidavit signed by another occupant in the Unit.
 - e. A summary of occupancy surveys shall be available for inspection, upon reasonable notice and request, by any person.

5. Section 760.29(4)(e), Florida Statutes provides for biennial surveys and registration as a 55+ community with the Florida Commission on Human Relations (“Commission”) and provides that the community:
- a. shall register with the Commission and submit a letter stating that the community is in compliance with Section 760.29(4)(b)3, listed above, i.e. intent, survey, verification, governing documents, etc.;
 - b. the letter shall be on the letterhead of the community and signed by the President of the community;
 - c. the registration and documentation (survey, etc.) shall be renewed biennially;
 - d. the information contained in the registry of the Commission shall be available to the public.
[NOTE: the results of the age verification survey are available for inspection by unit owners, Chapter 723 Homeowners, and “any person.” The underlying private documents upon which age verification is based, are not available for inspection];
 - e. a registration fee not to exceed \$20.00 may be charged by the Commission;
 - f. the Commission may impose a fine, not to exceed \$500.00, on a community that “knowingly” submits false information in the required documentation;
 - g. failure to comply with the above registration requirements shall not disqualify a community that otherwise qualifies for the “55 & Over” exemption provided in Section 760.29(4), Florida Statutes. However, it should be noted that both the Florida Fair Housing Act and HUD’s Rules and Regulations require age verification and surveys in order to comply with the intent requirements of the “55 & Over” exemption [See Section 760.29(4)(b)3-c, Florida Statutes, and Rule 100.307(Verification of Occupancy, 24 C.F.R. Part 100, Department of Housing and Urban Development)].

6. Supporting information and materials are attached hereto:

(1) The Commission website information, including:

- a. Directory**
- b. Requirements**
- c. How to Register**
- d. Renewal of Registration**

(2) Questions and Answers

(3) Sample Registration Letter

(4) Example of how to calculate the results of the "55 & Over" Survey

Lee Jay Colling

If you do not have an attorney, or not satisfied with the services of your present attorney, please contact us on our Toll-Free Number 1-800-330-1234, for a copy of our Retainer Client Representation Agreement for mobile home resident-owned cooperatives. Initial consultation is free.