

The POA BULLETIN

The Property Owners' Association of The Villages

Champions of Residents' Rights Since 1975
December, 2002

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POA's CDD Reform Proposal Is Accepted by the Silver Hair Legislature as a Top Priority

The [CDD reform bill](#) sponsored by the POA in the Florida Silver Hair Legislature's (FSHL) recent 2002 session in Tallahassee has again been given Priority status.

The FSHL is a state-wide, non-partisan, not-for-profit organization dedicated to meeting the needs, interests, and rights of older Floridians as well as the general citizenry through advocacy and education. The organization meets annually in the chambers of the Florida legislature in Tallahassee and conducts a realistic legislative session.

The POA bill addressed problems, abuses, and loopholes in the Chapter 190 law that created Community Development Districts (CDDs) in 1980. The POA bill has five parts, each dealing with problems in the Chapter 190 law, as follows:

Part 1 calls for the popular election of CDD supervisors by all residents in any areas administered by the CDD;

Part 2 calls for a retention or dismissal vote for the CDD Administrator by all residents in any areas administered by the CDD;

Part 3 calls for application of state conflict-of-interests regulations to all consultants, advisors, attorneys, etc. working with CDDs;

Part 4 calls for approval by all residents in a CDD of the purchase of any property or facilities over a certain value and also for any related debt assumption by residents;

Part 5 calls for the use of a market-based appraisal of any property or facilities in excess of a certain value that a CDD purchases.

This bill was passed overwhelmingly for a second year by FSHL delegates. This is a remarkable record for any bill. This shows a high level of concern among delegates to the FSHL about the abuses and problems with the Chapter 190 law. Delegates recognized that this is a state-wide problem that affects all Floridians, not just residents in The Villages or in CDDs.

Priority status is significant. Only five bills out of the 116 originally considered by the FSHL in 2002 were given this status. This means that the FSHL will emphasize these Priority bills in its lobbying efforts with legislators. These bills are sent to the Governor, his Cabinet officers, Florida State Senators and Representatives, and the Florida U. S. Congressional representatives.

This is the second year in a row in which the FSHL has given priority status to this CDD reform bill. This is an unusually strong endorsement of any FSHL bill.

The point needs to be made, however, that FSHL bills are only recommendations to the real Florida legislature. These bills represent the judgments, concerns, and recommendations of the FSHL. However, final passage of these bills is not certain. Final passage into law is subject to the legislative process and passage is often uncertain on any bill.

Although not all FSHL bills are passed into official law by legislators, some are. In the past, the Florida department of Elder Affairs, for example, was created as a direct result of legislation passed in the FSHL.

Remember also that powerful state-wide lobbies of developers, builders, lawyers, accountants, realtors, etc., have a vested interest in the status-quo of the Chapter 190 law and will probably resist any change. This is a significant issue.

That is why it is important for all POA members to write their elected officials and voice their opinions about these needed changes in the Chapter 190 law. If you have the time, please consider writing a letter expressing your opinion. That action will help the cause of Residents' Rights that the POA is championing on your behalf.

In summary, the POA is pleased with the outcome of its efforts in the FSHL session. The POA recognizes, however, that the ultimate goal is to have a CDD reform bill passed by the actual Florida Legislature and signed by the Governor.

With continued support from Village residents, and state-wide assistance from organizations like the Florida Silver Hair Legislature, we may be able to get some of these reforms passed into law.

Remember, the ultimate goal is to make The Villages an even better place in which to live. And, we can do it if we work together.

THE VHA CORNER

This month's column deals with a comment in the November VHA newsletter in the column entitled "Facts About the VHA."

First, the POA congratulates the VHA for spelling out some of the details of its organization and rationale in this column. The VHA is following the example set by the POA in the Bulletin in which the Mission of the POA is described (see the column on right). Perhaps the VHA can also someday support the concept of a Residents' Bill of Rights as does the POA.

Now, the VHA said in its newsletter "Facts" column that it "...works with local governments to promote good relations...."

Everyone should understand what the VHA means with these code words.

The VHA means that it never wants to rock the boat with the developer by supporting Resident Rights that are not favored by the developer.

To be sure, the VHA does some really worthwhile work in The Villages for the benefit of residents. And, it should be commended on these efforts. But, on the hard issues promoting Residents' Rights, it has failed to take a position contrary to the interests of the developer.

Here are some specific examples:

Consider the POA call for a moratorium on the purchase of facilities from the developer by the VCCDD and its supervisors hand picked by the developer? The VHA never supported the POA on this issue. That is because the developer would not like it.

Consider the POA call for revision of the \$105.00 monthly fee charged residents to reflect charges for only maintenance and administrative expenses, which would be only \$70.00. The VHA never supported the POA on this issue. That is because the

developer would not like it.

Consider the call last year by the POA for resignation of the VCCDD supervisors, all of whom are employees or business associates of the developer, over potential conflict-of-interests issues? The VHA never supported the POA on this issue. That is because the developer would not like it.

So, if you are a resident considering whether to join the VHA or the POA, ask yourself if you want to belong to an organization that supports the developer (VHA) or an organization that champions Residents' Rights (POA)?

POA Officers and Directors Are Re-Elected

Annual elections for POA officers and directors were held at the November general membership meeting.

Members re-elected for various positions were:

President	Joe Gorman
VP	Paul Heim
Treasurer	Betty Cunningham
Secretary	Mary Paulsboe
Director	Pete Cacioppo
Director	Dorothy Cheshire
Director	Bill Snyder

Three other Directors, Ted Morris, Tom Poss, and Frank Renner, did not seek re-election and will retire from POA service at the end of the year. The POA thanks these three for the considerable contributions each gave to the POA over many years.

In commenting on the elections, Joe Gorman said: "Thanks to POA members for the vote of confidence it gave to me and the other officers and directors. We are looking forward to working on your behalf during the coming year for the Residents' Rights issues that are important for all residents."

"Our efforts during this past year to build membership and improve our financial position have had good success. This next year will see a focus on solving problems for Villagers and reforming the CDD Chapter 190 law. With your continued support, we hope to achieve further successes. Thanks again for your vote of confidence."

PAINTED DRIVEWAYS

The POA plans to re-submit the driveway painting and staining complaint forms to the new State Attorney General, Charlie Crist, after the first of the year. Crist campaigned on a program of combating fraud and may want to pursue this.

If any POA members have not completed the official state complaint form, please contact Russ Day at 750-3108 for details.

Financial restitution may not be possible. However, class-action fraud charges may be considered if a sufficient number of complaints are filed. So, please make sure you complete the official state of Florida complaint form.

April Fools Day Revisited

(Don't Believe Any of This)

The VHA, the VCCDD, and the CIC got into a squabble as to which organization was the favorite of the developer. The developer settled the argument by saying that each of these organizations was his favorite. The VCCDD, VHA, and the CIC were later given awards for excellence by the developer.

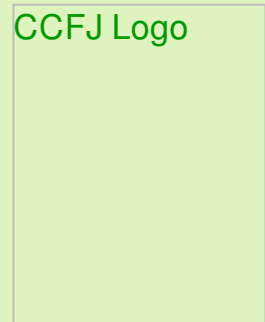
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