

# The POA BULLETIN

The Property Owners' Association of The Villages

Issue 33.06

Champion of Residents' Rights Since 1975

June 2007

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## **Non-Residents Named to VCCDD and SLCCDD Boards by Developer**

About a year ago, the developer of The Villages proposed the idea of the Straw Vote in which residents would gain decision-making authority in the VCCDD. Residents took the developer at his word that he wanted Villagers making decisions in the VCCDD.

So, the Straw Vote happened last November and the majority of Villagers voted to take over decision making in the VCCDD. However, the VCCDD scuttled the idea when CDDs 1 and 2 didn't go along with the idea.

No comparable offer for a Straw Vote was made to residents in the SLCCDD area. This was because the developer eventually wants to sell the \$1 billion or so of common property to residents. The developer knows that residents would never go along with the inflated prices he has charged the VCCDD. So, decision-making authority was never proposed for SLCCDD residents.

After scuttling the idea, the VCCDD proposed a Resident Advisory Council for the VCCDD area. Sounds interesting. However, the POA believes that this token gesture will be almost meaningless for any important decisions that might be at odds with the thinking of the developer.

A good insight into the thinking of the developer surfaced recently with the resignations of supervisors in both the VCCDD and the SLCCDD.

One would think that if the developer was really serious about giving residents decision-making authority in these central districts, it would have been ideal timing to bring residents onto both boards as replacements for the resigning supervisors.

However, the other developer-appointed supervisors, who choose the replacements, voted in two employees of the developer and ignored the pleas of a resident who urged them to select Villagers as replacements.

Below is an abbreviated transcript from the May VCCDD meeting. Joe Gorman, president of the POA, tried to be recognized by the chairman to plead for a resident to be considered for the board replacement.

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**Michael Berning, VCCDD Supervisor and a business associate of the developer** - He read his letter of resignation and concluded with the following: "I wish this Board and its members continued success ... under Chapter 190 if a vacancy occurs during the term of an elected supervisor, the remainder of the Board shall appoint a replacement for the remainder of the unexpired term. My

term expires November, 2008. In that regard I would recommend that the Board consider Mr. Tom Brooks to replace me for the remaining months of my current term. Mr. Brooks is a CPA with more than 30 years of experience in public accounting and is extremely knowledgeable of operations of the Villages and the community development districts within the Villages. He would be an outstanding addition to this Board".

**Killingsworth** - "Well, Mike, you have done a good job while you have been here. I hate to see you go. Do we have any discussion, do we have a motion to nominate Mr. Brooks?"

**Wise** - "I nominate Mr. Brooks."

It was seconded

**Gorman** - "Mr. Chairman, a question."

**Killingsworth** - "All in favor"

**Gorman** - "Mr. Chairman"

**Killingsworth** - "Wait a minute, let me finish this."

**Gorman** - "This pertains to what you are about to do."

**Killingsworth** - "Okay"

**Gorman** - "May I speak?"

**Killingsworth** - "Certainly."

**Gorman** - "Can you tell us a little bit more about Mr. Brooks, where his current employment is and so on?"

**Killingsworth** - "Mr. Brooks works at The Villages as a Vice-President of Finance."

**Gorman** - "Does he live in the Villages?"

**Killingsworth** - "No, he does not."

**Gorman** - "I would like to ask that before you proceed with this nomination that you also consider nominations of other individuals who are residents of the Villages and more familiar with the issues, problems and concerns of the residents. This is a wonderful opportunity for you to proceed along the lines of what we just discussed where the developer was interested in eventually having control of various aspects of the VCCDD in the hands of the residents. I think it would be a shame if you passed up an opportunity to consider having a resident considered for replacement of Mr. Berning's position on the Board. I would ask that you defer any further action today until you have had an opportunity to consider nominations of residents of The Villages to this Board. Would that be possible to do?"

**Killingsworth** - "Right now we are in a motion, we have had a second, all in favor...."

**VCCDD Supervisors** - Unanimous aye from Board.

**Killingsworth** - "Meeting adjourned."

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Hopefully, you as the reader see the autocratic way in which the replacement was selected. This would have been a perfect opportunity to get a resident on the VCCDD board. But, the developer wanted one of his employees selected, and that was the way it was done. The heck with what the residents want.

By the way, this scenario was repeated in the SLCDD in its May meeting. Same type of resignation; same type of nomination; same comments from Mr. Gorman; same indifference to Mr. Gorman's plea for a resident; same result with a business associate of the developer appointed as a replacement.

Developer 2; Residents 0. That is probably the way the Resident Advisory Council will operate. Did anyone have any illusions that it would be any different?

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## Questions and Comments in the VCCDD Meetings

In the May meeting of the VCCDD, there was some discussion of the role of the VCCDD, how it performs its function in The Villages, and the tone of the audience comments and questions.

Mr. Killingsworth, chairman of the VCCDD and an employee of the developer, started the meeting by saying that the audience comments in the previous meeting were too caustic and too personal an attack on some supervisors. He said he would not tolerate these type of comments in the future. After this, several residents spoke, as follows in an abbreviated transcript of the meeting:

**Joe Gorman, Resident and President of the POA** - "Mr. Chairman, I'm kind of disappointed with the comments that you just made about your concern about the level of the discourse at these meetings. I am not sure I would characterize what was said (by a resident) at the last meeting as a personal attack. I think I would characterize it more as a concerned citizen that was directing some comments at the Board and the functions of the Board and the official duties of the Supervisors and how they conduct those duties. That citizen ... was very concerned about those particular issues and was frustrated that he wasn't getting the kind of response that he was looking for. I would remind you that this is a ... freedom of speech issue ... residents and citizens should be allowed to express their ideas and try to get some reasonable response from the administrators of their government. I would ask you to perhaps look a little kindly on residents as they bring these things up in the future and allow a little more leeway to residents who are justifiably and understandably concerned about the function of their government."

**Killingsworth** - "Joe, by no means am I making that comment to restrict any kind of speech between the two parties. As a matter of fact that is quite the opposite. My reason for making those comments was so that we would have more of an open forum. It depends on which side of this table you are on when you hear those kind of things and some that have taken place in the past ... and by no way am I trying to restrict anything. I want an open forum."

**Irv Yedwab, Resident** - "... I think this Board does a terrific job in supporting everything that is beneficial to the developer. The only thing is I don't think this Board ever considers, EVER, what would be in the best interests of the residents of The Villages because this Board, unfortunately, in the way it is constituted and under the abortion that we have here, which violates the very intent of Chapter 190, is not a residents' Board. It's a Board that is here strictly at the request and with the election by the commercial interest, which means the developer, and this Board reflects exactly what is in the best interest of the

developer and all of their decisions are strictly in terms of what the developer wants. I don't think there is EVER, EVER, any decision in favor of the residents when the wishes and desires of the residents come in conflict with the wishes and desires of the profit margin of the Morse family, and unfortunately, that's been allowed to happen because of the lobbyist in Tallahassee who created Chapter 190 to permit this abortion of the laws, abomination in my mind, and to keep it going, but that may be another story. But ... this Board, to my recollection, has never voted, EVER, in support of residents' rights or what the residents want and that should be part of the consideration since this is the government of The Villages." "

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## **June Meeting of The POA is at the Laurel Manor Rec Center**

The POA will have its June 20 meeting at the Laurel Manor Recreation Center at 7:00 p.m. in the Madison and Monroe rooms.

The speaker for the evening will be Mr. Michael Francis, Sumter County Commissioner and a resident of The Villages, speaking on important Sumter County Issues.

We also plan to provide an update on the activities of the Vinyl Siding Committee.

If you haven't been to one of our meetings in the past, please join us on May 16, plan on making some new friends, and learning more about government in your hometown.

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## **Daily Sun Whitewashes Discussion About New VCCDD Supervisor**

The POA is often criticized for complaining or being negative regarding Villages news which it reports.

Well, let's examine this idea in light of the recent appointment of a new

supervisor for the VCCDD.

You, the reader, has already seen the lead story on the first page giving the verbatim transcript of the story about the new supervisor of the VCCDD and the pleadings of a Villager that the replacement supervisor be a resident familiar with our community and actually living here. That plea was ignored by the VCCDD chairman and a developer-appointed replacement was voted in. Then, the meeting was quickly adjourned with no further discussion allowed.

Compare the POA's front-page story with the following in the Daily Sun the next day:

"In other business, supervisors ¼ accepted board member Mike Berning's resignation and appointed local CPA Tom Brooks to complete Berning's term, which expires in November, 2008."

Notice that there is no mention of the discussion or the plea to have a resident fill the position. Wouldn't you like to have seen in the Sun story the pleadings of a Villager about appointing a resident to that position?

Your conclusion from these two versions of the same story might be that the Daily Sun whitewashes the information.

So, you can't rely on the Daily Sun for the complete story. (But, you probably already knew that in general from previous stories about something important in The Villages.)

And, where the developer's interests may conflict with the interests of residents, you better get your information elsewhere.

And, please, don't tell us that this was an insignificant matter. Another non-resident supervisor, employed by the developer, and appointed over the objections of a resident, is not an insignificant matter.

Maybe now we see the developer's true intent regarding the Straw Vote. This would have been a golden opportunity to bring a resident onto the VCCDD board. It surely looks like the developer says one thing -- and then does another. So much for the developer's integrity.

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## Definitions

The POA Bulletin often uses a variety of abbreviation and acronyms in the pages of the Bulletin and in conducting its monthly meetings. Here is a summary of the key terms with definitions:

**CDD** - This stands for Community Development District, which is a form of special purpose government in Florida. CDDs are somewhat similar to other

forms of government such as towns, municipalities, and cities. In The Villages, there are ten residential CDDs and two central CDDs which administer the functions of The Villages. Please read the Bulletin article entitled: "CDDs - The Good, The Bad, and The Ugly" in the CDD section of the POA website for additional information. The Florida law that created CDDs in 1980 and continues to regulate them is Chapter 190.

**VCCDD** - This stand for the Villages Center Community Development District. This is the primary form of government for administration of The Villages area north of highway 466. The VCCDD is a CDD and is often referred to as a central CDD. The actual geographic boundaries of the VCCDD are roughly the downtown area around the Spanish Springs town square and encompasses the area bounded by Avenida Central and Highway 441/27 with an extension for the area of the Target shopping center in Rolling Hills.

There are no residents in the VCCDD, by design of the developer. Because of this, the developer of The Villages, being the primary landowner in this area, elects all five supervisors and will do so for the indefinite future.

The VCCDD administration area includes CDDs #1-3, in Sumter, CDD #4 in Marion County, and also the areas of The Villages in Lake County on either side of highway 441/27. The district administrator of the VCCDD is Ms. Janet Tutt and the assistant administrator is Mr. John Rohan.

**SLCDD** - This stands for the Sumter Landing Community Development District. This is the primary form of government for administration of all The Villages area south of highway 466. The SLCDD is also a central CDD and basically encompasses the downtown commercial area of the Sumter Landing Square. Because there are no residents (and never will be) within the boundaries of the SLCDD, the developer will always appoint the supervisors of the SLCDD. The SLCDD administers CDDs #5-10 in Sumter County. The district administrator of the SLCDD is Mr. Pete Wahl and the assistant administrator is Ms. Monica Andersen.

**Chapter 190** - This is the Florida statute passed in 1980 that authorizes and continues to regulate Community Development Districts (CDDs). See the direct link to and the comments about Chapter 190 on the POA website in the CDD section. Be prepared for a long read -- Chapter 190 is over 40 page long. But, it is required reading if you want to understand our government and how it functions.

**The Villages** - The residential community where we live is referred to as The Villages. The developer of The Villages is the corporation of the Morse family known as The Villages of Lake-Sumter, Inc. (VLS), which we often also call The Villages. Thus we have the confusion in how we often refer to either our community or the developer of our community.

**The Developer** - We often refer to Mr. Gary Morse as the developer of The Villages. Mr. Morse is the son of the founder of The Villages, Mr. Harold Schwartz, and continues to serve as the chief executive officer of The Villages of Lake-Sumter, Inc. His son, Mr. Mark Morse, is taking on more and more of the daily executive functions from Gary and could be named CEO in coming years as Gary Morse retires from day to day activities.

**The POA** - The POA (The Property Owners' Association of The Villages, Inc.) is the original property owners' association in The Villages, founded in 1975. The POA is an independent organization with no ties to the founder of The Villages which might compromise its ability to speak out for Residents' Rights

and the best interests of all Villagers.

**The VHA** - The VHA (Villages Homeowners' Association) is the bigger of the two property owners' associations in The Villages, founded in 1991 with the encouragement and support of the developer of The Villages. The VHA is closely aligned with the developer and will never take an independent position different from that of the developer on any Residents' Rights issue. Thus, the VHA will often neglect or compromise the positions and interests of our residents.

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Letter to the Editor:

## **Settlement for the Gas Pipe Replacement**

I have a copy of the article that was in the POA Bulletin back in December, 2006, regarding the "Settlement For Gas Pipe Replacement."

There has been a series of e-mails sent out through the Sunset Point Social Club list regarding the CSST Settlement and what you have to do to get on their list for a voucher to get a Lighting Protection System or Bonding and Grounding.

I did complete the initial requirement and now have a second form to fill out and send in.

Having read through the papers I have received, and seeing the estimated cost that their vendor will charge (\$2000 to \$3500), and the fact that the voucher will only be for \$1000, I am wondering if the POA and residents are aware if this is really a scam in the Villages and hitting on the elderly. I did check and a lighting rod system would only cost about \$500.

If you have any other information I would appreciate it. Thank you.

Art Agamaite

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Letter to the Editor:

## **The Developer**



I am writing you to express my deep concern pertaining to the actions of the VCCDD as reported in the May, 2007, Mr. Yedwab's accompanying article is on point regarding this issue. It is clearly a breach of contract

The POA would be wise to hire an attorney and file for injunctive relief, a declaratory action or perhaps an outright class action against the developer.

It is clear that unless the residents band together the lifestyle promised by the developer will evaporate faster than water.

I am not yet a POA member but will join your organization shortly.

I was not aware of the POA when I first arrived in the Villages (August, 2006) and believed the VHA would fairly represent residents.

However their action, or lack thereof, regarding a number of issues, reported in the Village Voice, causes one to pause and ask why?

The developer marketed The Villages as a gated community with free golf and entertainment.

As we have all learned The Villages is not a gated community thanks to the developer, and golf and entertainment are not free. The costs are absorbed in many fees, the cost of housing, etc.

The fees charged at the championship courses exceed those in the community. Add to those fees the cost of priority membership and the fact that most residents use their own carts increases the cost to golf at these courses even higher.

The developer is banking on the fact that resident being retirees will not want to expend their precious time taking the developer to task.

I desire to have the developer continue to live up to the image that it advertised and continues to advertise.

If not then the gentlemen who lives outside The Villages was right when he told me he had the benefit of The Villages lifestyle without the inflated cost of its housing.

The Villages population will continue to grow and the demand made for services will expand disproportionately. So unless we focus on residents first we will lose much in our investment and the reason we chose to live here.

Dennis J. Petrucelli

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# **Bitch, Bitch, Bitch Sue, Sue, Sue**

My Neighbor makes a good point! All you people do is bitch!  
Why don't you start a legal fund to fight some of this crap?  
If we could get "class action" status, things would change in a hurry.  
Also, if the members of the VCCDD board were sued individually, they would have a more difficult time bowing to the developer.

Blair L. Fileger

Editor's Note: If you don't like what you read in the Bulletin, that's ok, that is your right to call it the way you see it. But, please, don't kill the messenger. As for suing somebody, please note that the POA has been raising money recently for a Legal Action Fund. Lawsuits are not cheap. Have you taken the opportunity to contribute?

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Letter to the Editor:

## **Developer Control**

The developers continue to give away the residents benefits in order to make more money for themselves. Their greed is unparalleled. The latest is the Freedom Pointe amenity give-away.

I have been in the Villages over 3 years. I have seen many good things and enjoy living here, but the developer's greed and unwillingness to look out for or honor Residents Rights is out of control.

Almost without exception I hear the voices of disgust with the developer's tactics and a lack of knowledge as to how to fight this problem.

I have an observation: The older residents are aware of what is going on but feel powerless to do anything. We are overwhelmed by the total control the developer has.

The newer residents are indoctrinated from the day they arrive. The VHA has a welcome with a script that is probably written by the developer's people. Then they are further indoctrinated by the developer's people. These include the appointed VCCDD supervisors, Pete, Monica, Janet, John and many others. All they are allowed to hear is what the developers want them to hear. There is

heavy control of information here.

The developer controls the media. They are only allowed to print or speak what the developer authorizes. I speak of the VNN TV Station, the radio station, the Daily Sun paper, the bank, and others such as the VHA.

I thank the POA for their help in bringing out the concerns of the residents. It is the only voice that stands up for our rights. I hear some people say our paper is too negative; I say to them they have been brainwashed and won't accept the truth.

Please carry on, help us with our rights. That is all that we ask. We do not want anything that is not rightfully ours. We are simply overwhelmed and need help. Thank you for your continued assistance in this fight for what is right. They have the might, but we are right and will prevail.

Neil Garcia

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From the POA Website Forum:

## Phone Books

Who keeps dropping off old telephone books at the postal stations? It really looks messy! The charity group that picks up the aluminum cans will not take them, nor will the contractor that empties the postal trash cans. There is a sign at each station saying not to not leave telephone books at the postal station and several times a year there is a reminder not to do it in the newspaper. But the telephone books continue to be dropped off almost daily. Perhaps we should ask the local code enforcement officer to stake out a station. A \$500 fine for littering might just slow the flow down a little. Any other new ideas?

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## The Village Greens

The next meeting of the Village Greens will be the fourth Wednesday of the month, June 27th, 6:30PM at Laurel Manor. The program will be built around

## RECYCLING.

In the last month we have made some progress. We convinced Lake County to allow Sumter County residents to bring their recyclable items (but not hazardous waste) to the Rolling Acres collection center. We are working with Sumter County to handle this aspect of our recycling needs. Our goal is to have curbside recycling in The Villages.

Thanks to all of you who took the time to write letters to the editor of the Reporter expressing your belief in recycling and your desire to have it implemented here. What a shame the Daily Sun has not supported this idea. It would help our cause if you would write letters to The Daily Sun about wanting recycling. Maybe if they are bombarded with enough letters they will start to print the letters and the developer will reconsider his position. (Let's keep at it.)

Village Greens has planned our first outreach educational trip to Florida House in Sarasota. This is a model of what our homes can look like with all the latest in conservation from the most up-to-date ideas in Florida-friendly plantings, irrigation, electrical and water conservation, building materials and appliances. The trip is planned for June 13th. Please call for reservations and more details: Anne Lambrecht, 751-4380.

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### Letter to the Editor: **Freedom Pointe**

Below is an exchange of emails regarding the article in the previous Bulletin by Mr. Irv Yedwab, an attorney, about how the Freedom Pointe deal may breach our amenities contract. The POA directed the Tom Bender letter to Mr. Yedwab for his comments which are presented immediately below:

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There is a lot of smoke about Freedom Point (forget the E), but where is the lawsuit if they are violating contract rights?

Tom Bender

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There is no easy answer, but you could consult with an attorney to find out what the cost would be for a suit for an injunction to enjoin the VCCDD from going ahead with its vote approving Freedom Pointe's future residents from enjoying the use of our facilities, or, in the alternative, an action for a declaratory judgment that the VCCDD's action was an illegal breach of our contract. If the attorney likes the case and the cost is not prohibitive a fund raiser would cover it. I believe a lot of residents would contribute.

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Editor's Note: Remember that the focus of this concern is the action of the VCCDD in approving the amenity plan. The POA continues to view Freedom Pointe as a welcome and needed facility in our community

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From the POA Website Forum:

## **Freedom Pointe**

May 10: We live in district #3 in The Villages. We are opposed to the Freedom Point Proposal. There should be a "formal petition," for those of us residents who are in opposition to this proposal, to sign. We see this proposal as a negative impact on our way of life here in The Villages. We, would sign it.

May 10: So, why not start the "formal proposal." He who complains and does nothing may gain nothing. He who complains and does something may gain something.

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Letter to the Editor:

## **School Taxes**

Thanks to Thomas N. Shaw for his letter in the current issue of your paper.

I came here from Rockland County which is just north of New York City and they have a tax plan in effect for Senior Citizens which gives them relief from School Taxes.

In talking to other residents who have moved here from other states, I have found out that there are many states doing the same.

Mr. Shaw is absolutely right, we should all be fighting for the same benefit for

our Senior Citizens. Just think, if we didn't pay School Taxes, the money that would be saved could be used to take care of our roads here in The Villages and we could become a true gated community.

The states that give relief for School Taxes do so because as Seniors do not usually have children of school age living with them, and in The Villages they are not allowed to live here.

So why are we paying the tax?

Marie O'Shea

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Letter to the Editor:  
**The Straw Vote**

I have been a member of your organization since coming to The Villages in 1997.

For the most part I have agreed with the association's views on most issues. I did, however, take a position opposite yours when it came to the vote on self rule. I have had some bad experiences with amateurs taking over control of an operation such as ours.

Now to the real issue with me and the reason I have not renewed my membership.

When the association took the immature stance of saying that those voting against home rule should have no further say in the dealings of the CDD you lost me.

What kind of country would be have if everyone thought that way?

Al Sandy

Editor's note: The POA's position on supervisors on the Authority Board was: People not favoring resident rule should not be supervisors. If they changed and supported the Straw Vote's majority decision, then OK. A person not in favor of resident rule would be a disruptive influence on the Board. We should have a person with a positive attitude and willing to support the resident rule idea.

As it turns out, residents won't have the chance to serve, since the supervisors

of the VCCDD squashed the Authority Board in favor of an Advisory Council.

And, if you think the Advisory Council will make a difference, just read the recent Bulletin articles on Freedom Pointe, the scuttling of the Resident Authority Board, and the rejection of a resident's plea that vacancies on the VCCDD and the SLCCDD be filled by a Villages resident (article in this Bulletin). "

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Comments from the POA Website Forum

## Electrical Switches

Listed here are comments from the POA Forum on the POA website regarding the electrical switches problem. Full details are available on the website at [www.poa4us.org](http://www.poa4us.org).

May 4: I read the blurb regarding "flickering" electrical switches in The Villages. I have a number of these switches. I understand that the manufacturer will replace these switches via mail.

May 4: The company (Pass & Seymour) phone number is 800-223-4185, ask for tech support. They will be replacing the switches until July 1. They said that 99+% of the problems with these switches is occurring in The Villages. Power surges are the suspected contributor to failure.

May 4: We too had the same flickering problem with them a short while after occupying our new home. Several were replaced before the warranty expired. We, also, were told that the contractor had received a "bad batch." After the warranty had expired, we continued to have the problem. We went to a plumbing supply store on Rolling Acres Road for replacements. Well, they are flickering again. Apparently the plumbing supply store has the same "bad batch" as the contractor. Those type switches were considered as an "upgrade," so we paid extra for them. The switches are made in China.

May 4: I came across the message giving the 800# for free replacement of the switches. I called and they are replacing them. They need the count of the single and 3-way for your house. He said that they have a factory in China and almost all switches are made there now. Also, made the comment that this is the only place that they are having a problem with the switches.

May 7: I was reading the May, 2007, issue of The POA Bulletin and saw the Letter to the Editor on electrical switches. I have had the same problems with these toggle/neon indicator electrical switches. I purchased my house May, 2005, moved in August, 2005, and already had 3 light switches defective, either flashing or completely out. The electrician stated that there was a whole batch of defective switches purchased by The Villages from the manufacturer. He stated he was replacing these all over The Villages, but home warranty

would not allow all the switches in the house to be replaced. They would only approve replacing them when they failed. Sometime over the summer 2006, I called home warranty back that I had more defective switches, they stated that my 1 year warranty was up and that they would not replace them. I have 13 more defective electrical switches. That is 20 defective electrical switches in less than 2 years. The Villages should replace all the switches in my house!

May 10: Call the manufacturer before July 1 to get replacements.

May 11: I have many blinking switches and received new ones from the manufacturer. Problem: I do not know how to replace them and was told to hire an electrician. All started blinking after our warranty was done.

May 11: Before my one year warranty expired I had the contractor change 11 blinking rocker type switches, but 4 have failed again. I found a place online that sells these switches made for Pass & Seymour/Legrand. Model TM870-LASL (light almond) costs \$4.95 retail.

May 18: The warranty department gave me a supplier number to call. Supplier sent me new switches but I had to replace them at my cost. I replaced them. Now after 6 months some of them are blinking again. I guess our homes are being built with inferior materials at top-of-the-line prices.

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Letter to the Editor:

## **The Wise Property in Marion County**

In an article in The Reporter dated May 10, 2007, entitled "Villages Land Plan Controversy Continues," it states that the Wise site (on highway 42) has also been PROMISED utilities by the Village Center Community Development District.

Is this statement accurate? What type of utilities, i.e. water, sewer? How can the VCCDD promise utilities to a private party outside The Villages Development?

Maria Sauerwald

Editor's Note: The Central Districts (VCCDD and the SLCDD) can sell services or the use of facilities to outside parties. As an example, the Savannah Center is often rented to local organizations not affiliated with The Villages. Similarly, excess water or sewer capacity can be sold to outsiders. The VCCDD has done this in past years for sewer processing capacity for the town of Lady Lake. The VCCDD feels it has excess capacity which can bring in additional revenue to the district.



## Ronald Reagan A Father

Patti Davis, daughter of former president Ronald Reagan, wrote the following about her father in the July 16, 2003, issue of Newsweek. This has been condensed for space requirements here.

Remember Father's Day this year on Sunday, June 17. Happy Father's Day.

\*\*\*\*\*

Sometimes I think we need to look no farther than the pattern of footprints stretched out behind us to understand the lives we've lived.

We can follow the first tentative steps of our infancy through the long, defiant strides of adolescence and young adulthood -- the running away years, the years of putting distance between ourselves and our families, of burning up time -- to the more solid footprints, set down as we grow older.

These are the tracks we leave on the earth. If we look closely we can also see our parents' footprints, often close to us, as they guide and lead us, at other times far behind, as they wait for us to turn and remember them.

We slow down, finally, to look longer and more carefully at our parents. My father, who strode confidently onto the stage of history ... was always polite - achingly so - and even in the depths of his illness, still (was)... I didn't stop to linger on the sweetness of that quality, or to learn from it.

There are people who would say that my father's footprints are larger and deeper than those of other parents because his political legacy gives them weight, creating indelible marks in the halls of history.... I see his footprints pressed into the wet sand of the beach as he walked toward the sea to catch steep waves and ride them back to shore. His stride was as smooth and certain as it was when he walked into the White House, and onto the stage of history. I see a small girl on that beach as well, pressing her feet into the shapes that her father's feet have left to see how much bigger his footprints are.

I have gotten lost in those footprints during my life; I have fought hard and bloody battles to pull myself away. These are the tracks I have left on the earth.

But now I look for my father's tracks on every beach, every trail. Because they mark the way home.

## **The Vinyl Siding Issue: Some Progress Being Made**

Although there are still many things to be addressed with regard to vinyl siding installation here in The Villages, after nine months of hard work we are finally beginning to see the light.

As some homeowners may have noticed, Home Warranty Department personnel are no longer telling callers that there is nothing wrong with the houses, it's just a troublemaker causing problems, or telling the homeowners they will be charged for a service call if they come to your home and don't find anything wrong. There was never a chance of that anyway because so much is wrong!

The siding subcontractors are being more cooperative and courteous - but don't think they got to be so accommodating on their own. Someone must have given a little push in the right direction! And don't give them too much credit for finally being pushed to do what they should have done in the first place: a good job.

They are only fixing homes now because it has been proven, that the original installation was not good. There has been quite a shift in their attitude - first contrary and abrupt, trying to pass the blame to someone else and avoid responsibility - now they're much more open and reasonable. So don't give credit where it doesn't belong. They wouldn't be fixing anything if they could have avoided it. The only reason we're having our homes repaired now is because they got caught doing shoddy work and we wouldn't accept their excuses. We'll be able to tell if they are nice guys when all of our homes are sided in accordance with Alcoa's manual, not using "alternative" methods devised to avoid responsibility, essentially getting Alcoa to change their instructions instead of fixing our homes.

We paid top dollar for these homes. We were assured of a 1-year period to fix anything that is wrong. We paid for a job we didn't receive.

The poor workmanship can have effects years from now. If there is damage during a storm, will an insurance company deny claims later because of shoddy installation? If we have to resell our homes in the future, is a conscientious home inspector going to tell prospective buyers about the poor workmanship? If we do not disclose the problems to a potential buyer, is that honorable? Will The Villages get a reputation for not making things right?

All these things can affect our investment in our homes. Why shouldn't we insist on a job well done? We trusted the developer to sell us a quality product and to stand behind it. Why wouldn't The Villages want to make things right?

One of the latest ploys to avoid re-siding some homes is having Alcoa give a letter of "approval" for vertical seams, or overlaps, 2-feet apart on adjacent panels, a "stepped" appearance. The manual instructs siding installers to keep vertical seams at least 3-feet apart, every third course, to improve the appearance of the installation. Online, Alcoa's General Siding Instructions say to "Stagger the overlaps a minimum of 3 feet unless separated by 3 courses of siding."

Perhaps functionally, the closer seams are not an issue, but why wouldn't The Villages want our homes to have the best possible appearance? Why have more seams on a wall than absolutely necessary? It's easy enough to install it with fewer seams in the first place. Why does The Villages feel they need to get a special dispensation to change what has always been in the manual?

There was never any statement in the manual that you can't have the seams 2-feet apart or closer - just to avoid it if you want the best appearance.

Why do the local subcontractors even need a letter from Alcoa? Just be up front and tell us you don't care how the homes look! Then you can explain why. If homeowners want to accept something less than Alcoa's standard, published recommendations (or the concurring, standard, published recommendations of other major siding manufacturers such as Georgia Pacific), it should be up to them, not up to the contractors or subs who just want to get out of re-dos.

This tactic is similar to the last Alcoa "approval" that was used to avoid using the manufacturer's parts: the undersill/finish trim. In this instance, the developer requested Alcoa's approval on an "alternative" method to using undersill. The method was never tested by Alcoa and was not being used anyway. Subcontractor's reps then waved Alcoa's "approval" letter (without any diagrams or pictures showing what the "alternative" consisted of) in front of homeowners who had called requesting repairs, and then telling homeowners that they do not use undersill/finish trim here, rather an alternative method "engineered" by Alcoa. We witnessed this being done and made strong objections to the contractors regarding the misuse of this letter.

It appears that the letter is no longer being used in this fashion, and, we are happy to note, undersill/finish trim is now being used on the new construction as well as on repairs to existing homes.

We have to say, and gladly, that siding installation on the new homes being built has gotten better, and we thank the developer and contractors for trying to improve.

They're putting in the manufacturer's parts for undersill finish trim, and nailing better on the new construction we've seen, but there are still problems: On May 12th, we looked at a new designer home on Allenwood Loop. From the street you can see the bottom panel of siding cut too short and the outside corner cut incorrectly at the bottom. Some of the siding was also loose. That was just a quick glance.

We still see other new homes without undersill/finish trim. Is someone going to find and correct these things before the homes go on the market?

Some questions we have for the Warranty Department regarding the repairs now being made are: do we now have one year's warranty from the completion of the repair, or just for the duration of the original year? And why don't you publish what the 5-year "courtesy service" mentioned in the VHA Villages Voice consists of so everyone can understand exactly what it is. Our inquiries

at your office tell us there's not much to it. If a piece of siding falls, you'll send someone to push it back, or if it needs a few nails, you'll send someone to take care of it. But what about extensive repairs such as those being done now throughout Duval, where some entire homes are being re-sided, and many have sheets of buckled sheathing that are also being replaced? We're told no, that's not what the "courtesy service" is about. Why then, is the VHA Villages Voice implying that this "service" is the solution to the siding problems and leading residents into a false sense of security so they put off repairs? Perhaps it is the extent of the "courtesy service" and not the extent of the siding problems that is being "overstated."

Homeowners - its important that you take care of the siding problems before your year runs out.

We note that there have been some instances of contractors checking homes prior to the homeowners' call to Home Warranty, and found little to repair, but obligingly offered to fix it. If this has happened to you, please be aware that in these several instances, many things that needed correction were overlooked. It is not in their interest to find all the things that need repair. It's like the fox guarding the henhouse. To protect yourself and your investment we suggest that you go through the steps of having one of our volunteers look at your house and explain to you what they see before you authorize or accept repairs. Remember, the installers messed up the first time - and not just on your house.

For the siders who read this, please be aware that there are several of us who will be checking on the re-dos, so please do the work correctly so you don't have to do it a third time.

Certain contractors, such as Dean Carter, can now be seen on some repair sites, checking up on the work while it is being performed and having the siders re-do it immediately if it's not right. On one job Mr. Carter had the workers take the siding down several times before the repair was completed satisfactorily. This is what is needed: a person with integrity overseeing the work and making sure it's done right.

On the other hand, we have another contractor, Dodd McDowell, who is not cooperating. He is trying to avoid responsibility and is making more excuses not to fix the siding. The majority of complaints about repairs that we receive are due to McDowell's refusal to re-side homes properly. He still wants us to accept partial repairs instead of having his workers do it right. He even argued about repairs that were needed on some of our committee members' homes, outright refusing their requests, although in the end he relented and had the work performed.

Mr. McDowell, we shouldn't have to force you to do the job right. Don't you have any pride in a job well done? There shouldn't be any argument - have the integrity to fix our homes properly, whether it's loose panels, improper stapling or nailing, buckled sheathing, stepping, finish trim, improperly installed corners, or whatever else the problem may be. Don't ask Alcoa to change their directions to suit you! We are not going to accept a shoddy job the second time around, either, regardless of any "approval" letters you get from Alcoa after the fact.

Mr. McDowell has also instructed his subcontractors not to re-do the corner pieces, only to re-nail the horizontal panels. Well, Mr. McDowell, what if the corners are not installed properly in the first place? Our committee members have seen many, many instances where the corners have staples right through the vinyl, not in the slots where they are supposed to be. There are instances

where the corners are not straight or not square, some are not fastened at all and some are even damaged. When the siding is down, that's the time to fix it, not just cover up the problem again. Ignoring the corners means the repair is also incomplete. Why are you still taking shortcuts? These houses need to be sided according to the manufacturer's manual. Do the right thing - not half a job. Are you just hoping we won't see it - again?

Just as we will not accept poor workmanship on the initial job, we are not going to accept shoddy repairs either. We want the job done right. That is what you should want, too.

For the homeowners who are having your homes repaired, while the work is being done and panels are down, check and document notes with photos, if possible:

1. Check the position of nails or staples-they should go through the center of the slots. Look for staples going through the vinyl instead of straddling the slots. Fasteners going through the material interferes with expansion and contraction of the vinyl. The parts are manufactured with slots for a reason and that is where the nails or staples belong;

2. Check the depth and straightness of the nails or staples. Nails or staples should be driven straight-not too loose or too tight-just the thickness of a dime behind the vinyl when it's in place. Staples that are too tight can end up cutting right through the vinyl when it expands resulting in no fastening at all. Tight or crooked nails or staples also restrict movement. Loose fasteners allow too much movement, panels that rattle in the wind, and that are more likely to become detached in heavy wind or allow rain underneath. Following the windy rainstorm on Sunday, May 13th, we have seen a number of fallen panels in the neighborhood.

3. Check the distance between nails or staples-they should be no further than 16" apart. One of the reasons the committee is finding so many loose panels is insufficient nailing. Sometimes nails or staples are placed as much as 49" to 60" or more apart, and 28" to 30" on average. Looseness caused by insufficient fasteners also allows too much movement, as do loose fasteners in 2, above;

4. Make sure the green house wrap is replaced if its integrity has been compromised by excessive nail holes left from removed siding;

5. Make sure damaged or warped pieces are not reused, and that care is taken not to damage the vinyl when it is removed from the building. Remove the staples or nails carefully-don't let them rip it off.

6. Check the J-Channel (the 1" piece at the top of every wall, and around windows and doors) before the siding goes back in place. There should not be any nails or staples through the material either, only in the center of the slots, so as not to restrict expansion and contraction. Also, J-Channel should always follow a straight line, whether it is used horizontally or at an angle along a gable (peak) or a roof line. It should never be placed directly on shingles which will become hot in the sun. Mitered corners around window frames or doorways should be neat and tidy, not sloppy and overlapping.

7. Check the inside and outside corners before the panels are installed. The corners should not have any nails or staples through the material either, only in the center of the slots, for the same reasons of expansion and contraction. Outside corners should be square and even (if it's not a square corner, such as

on angled windows, the angle should be consistent all along the corner piece);

8. Check that corners (inside or outside) are about 3/4" below the lowest horizontal siding panel. They should not hang lower than that and especially not be embedded in the concrete;

9. Single or double finish trim should be used inside the J-Channel. Double is best for Dutch Lap style panels. The siders are putting the double finish trim on the new construction now, but be sure to insist upon it as part of the repairs - all around the house, not just part of it;

10. The siding on your home should not have "stepping." This is where the finished appearance is a series of "staircases" along the wall. This is an aesthetic issue - a matter of appearance, but Alcoa's manual recommends a staggered look with fewer vertical seams and at least 3-feet between the seams, every 3rd course of panels. This will give a better visual appearance;

11. Stand at each corner and look down the each wall. Check that there are no wavy panels, bulges, or bellies, especially, but not limited to walls with gables (peaks at the top). These are symptoms of underlying problems that need to be addressed - it may be as simple as loose nails, but it could also be a sign of warped sheathing or bowed studs. Make sure it is investigated and repaired.

12. Check that overlaps are consistently lapped the correct way: away from the road, away from the doorway as you leave the house, J-Channel on gables should be lapped downward to prevent water from entering. All laps should be neat & tidy.

Of course there are more details that professional installers should know and practice, but just following the rules for these basic items will result in a much better installation. If attention had been paid to these few things the first time around, we wouldn't have the problems we have now. But it wasn't and we do.

So keep an eye on the workers to make sure the job is done right this time. Applying vinyl siding properly really isn't any more difficult than installing it badly - maybe just a little more training for the installers, a little extra time to pay attention to what they're doing and to recognize and correct mistakes as they happen, not waiting for the job to be done, then waiting to get caught. And, of course, following the simple steps outlined above: proper nailing, using manufacturer's parts and basic tools for straight, level and plumb lines - and watching what you are doing. Certification doesn't mean anything if the workers don't follow the instructions they're taught - then it just means they're misusing that piece of paper just like the "alternate method" approval letter from Alcoa may have been misused.

The volunteers on the Vinyl Siding Committee are working hard to help our friends and neighbors become aware of and to educate themselves about vinyl siding. The POA is also working to define and resolve the problems in a productive way. If we all understand it, we will all be better able to communicate with Home Warranty and the contractors as to what our expectations are for a resolution of the problems found on many of our homes. With the knowledge of a proper installation, we will be better able to insist upon the repairs that are needed and to see that they are properly accomplished.

We trusted The Villages to sell us a quality product. We trusted their integrity. That is what their advertising implies and the image they promote. It's what Mr. Schwartz wanted.

We sincerely hope that Mr. Morse will take steps to deserve our trust and make sure his contractors and subcontractors act with integrity and do what is right. This does not mean getting Alcoa to change their published manual to suit the contractors' desire to not fix the problems that they and their subcontractors created.

We homeowners will not accept shoddy workmanship, shoddy repairs or "approvals" for less than standard workmanship from Alcoa, a company with a lot to lose if they don't comply with The Villages contractors' demands to change their instruction manual. "Alternative" methods are not acceptable, they're just an excuse for a shoddy job.

The people of The Villages are what community is all about. We respect Mr. Schwartz for his vision of an ideal hometown and Mr. Morse for continuing to make the vision a reality. Its a pleasure to walk down the street, to meet people and have a chat - to feel that sense of community, of concern and caring for one another. This is what a community is supposed to be about. We love The Villages and feel privileged to be here and we appreciate all of our friends and neighbors who trust in us and in our effort to make The Villages an even better place in which to live.

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## **The Vinyl Siding Committee**

At the POA Meeting in April, the Vinyl Siding Committee was formed to address these problems. The committee is meeting almost weekly to discuss the situation, monitor progress, and help with house inspections. We are updating the POA membership at the monthly meetings and through the POA Bulletin. Interested residents should consider coming to the next POA meeting on June 20th at the Laurel Manor Recreation Center at 7:00 p.m.

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**Letter to the Editor:**

## **VHA Got it Wrong on Vinyl Siding**

This letter is in reference to some recent comments made in the VHA publication, The Villages Voice, regarding the siding problems in the Villages. The residents of the Villages have a right to know the facts and take individual

responsibility to determine their own conclusions about this matter.

Although The Villages Voice states that it is "dedicated to serving the residents of our hometown," I believe it is doing an enormous disservice by spreading misinformation about the siding issue. Whoever wrote the article entitled "Individual Responsibility" clearly does not know what they are talking about when it comes to vinyl siding. Maybe the siding contractor you refer to is the biggest, but they surely aren't the best, as can be seen by the numerous problems with workmanship we have found on Villages homes.

Several Vinyl Siding Committee members, all with previous experience in the building trades, visited about 100 homes in Duval and we haven't found one that was sided correctly. Most are not even close.

A company is "certified" because it has a piece of paper confirming that some of its employees attended classes. It does not mean that they are applying what they learned to the job they are doing. It seems these siders have not bothered with following the manufacturer's manual when working on our homes. Surely their certification class instructors did not tell them to go out and do whatever they want, or to follow someone else's less stringent method.

To use an analogy, consider an airline mechanic who went to school to become certified in aircraft repair and when he got the certificate didn't follow what he had been taught, but did the repairs his own way or someone else's less stringent way. Would you want your family in that plane? Not me.

Perhaps this is a little "overstated." Vinyl siding is not an aircraft engine, and of course it doesn't take the expertise of an aircraft mechanic to install. But I'm sure you get the point. Manufacturers' instruction manuals are written for a purpose and should not be disregarded on the job. If you use a certain product, you should use their instructions.

In the same article about Individual Responsibility in The Villages Voice, a reference is made to a

5-year "courtesy service" extension of the basic warranty on siding that we are told has always been in place, although it is not published. The fact that it is not published should tell us something. One of our members questioned Dennis at Home Warranty about the "courtesy service" and was told that it is for minor problems only, such as a fallen panel that would be pushed back or a couple of nails that might be needed. Certainly it is irresponsible to mislead Villages residents into a false sense of security about the extent of "warranty" protection in the VHA's article.

The VHA article also tries to downplay the extent of the problems, advising residents not to believe what you hear in the media. Today as I write this in early May, there are four homes being completely re-sided in Duval, and many more waiting for repairs. If these were your own homes, would you consider these problems to be "overstated?"

The VHA is supposed to be helping residents. Why not help us get these problems fixed instead of pretending they don't exist. It doesn't seem that the person who wrote the VHA article, or the person who approved it for publication, knows too much about siding or the very real extent of the problems.

We have found that the Alcoa rep who visits The Villages is the District Sales Manager. Is this not a conflict of interest: the sales manager commenting on



technical, installation, and warranty issues? In the glowing report from Alcoa described in the VHA article, why did Alcoa not mention that some Villagers have been discussing the installation problems in The Villages with them since last August? Or were these concerns simply brushed aside to give a big customer a stamp of approval?

We would be pleased to show these problems to representatives from the VHA or the developer. If they see for themselves they will understand the issues better and concentrate more on getting the problems resolved instead of denying them. We're happy to say, some of the builders have acknowledged the problems after seeing for themselves what the subcontractors have been doing. They are beginning to insist upon the needed changes in siding techniques used by their subcontractors on new homes now being built. At least the contractors are trying.

**Now it's time for The Villages developer to take responsibility for the mess its siders created and stop trying to mislead Villages residents by telling them nothing's wrong.**

Like the VHA article's author, we also believe in individual responsibility. The responsibility to do a job right. The responsibility to fix mistakes. And we believe in community responsibility. The responsibility to look out for those not able to help themselves. The responsibility to help one's friends and neighbors and not to ignore a problem one sees, but to try to correct it, or help them to correct it.

Ray Micucci

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## The VHA Corner

The article just to the left highlights the problem with the VHA. The VHA is so closely tied to the developer that it blindly supports the developer, even when the evidence shows the opposite. This illustrates the height of hypocrisy that characterizes the VHA in its management group. Shame on them.

We also have to comment on the Mark Morse presentation to the VHA general membership meeting on May 9. Mr. Morse's speech was summarized in part by the Reporter newspaper as follows: "1/4 Morse brought up the idea of stewardship. He urged those in attendance to take ownership if they see a problem and report it immediately. This is your community to protect and nourish, and that's something we all can do."

It is ironic that Mr. Morse said this because in the initial phone conversation with Mr. Ray Micucci, Mr. Morse questioned Ray's motives for reporting the vinyl siding problem and implied he was a "troublemaker." This "troublemaker"

tag was repeated several times in the weeks after by various warranty and construction personnel of The Villages.

It looks like the VHA doesn't have the hypocrisy market cornered.

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**Letter to the Editor:**

## **Dogs**

I have more than one run-in with dogs and their owners -- not only in my neighborhood but at the town squares and the softball field. I find it disgusting to be around an area where a dog has crapped or pissed. I have told many people exactly how I feel especially in my neighborhood -- but to no avail. I promise I will file a complaint through the court system for not following Florida laws pertaining the cleaning up after their dogs. Please at least try to ban dogs from the town squares and public places where thousands of people are trying to have a good time.

[13handicap@comcast.net](mailto:13handicap@comcast.net)

We who live in the Villages do not want PETS pooping or peeing on our right of ways.

Let's be sensible about this. If a dog walker does not clean up after their dog fine them fifty (\$50.00) dollars. Hitting anyone in the pocket book makes more common sense than banning everything that does not agree with our likes or dislikes. Taking away peoples' rights for our own feel good reasons does not work. Yes, I am a dog lover and owner. I also respect other people's properties and rights. I hope that next, you do not ban grand children if they get in your way.

Bill T

My husband and I have a dog and never have we ever allowed her to defecate on anyone's property. She always makes it home to her back yard for her toilet needs. She walks on the road, close to the curb, on a short leash and people enjoy our very happy and obedient dog.

I see other dog owners who have their dogs on extendable leashes, they allow their dogs to run all over peoples yards, lawns, gardens, driveways, and get annoyed if you happen to ask them to control their dog.

I don't think they understand that if one dog urinates or defecates on a lawn, every dog passing is encouraged to follow suit and use that lawn for their

habitual rest stop.

Maybe these folks could take their dogs to the dog exercise parks where their animals can run all over the place without annoying others.

Mrs. P. S. Davies

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**Letter to the Editors:**

## **Tee Times**

My wife and I along with several neighbors "used" to play golf with "another couple" until we learned the couple used our ID numbers to obtain tee times and then went back into the system and cancelled our tee times giving us "points." We had no idea this was happening until we both tried to get a tee time. This "cheating" continued until I threatened legal action because the individual thought it was ok since we worked -- NO.

Most of the cheating stopped but recently another neighbor got kicked out of the system and did not know why. I talked with him and we confronted the cheater and it was admitted that was happening, but our neighbor did not "want to hurt" anyone. Who is hurting who here I asked him. For over two years now no one will do anything, and the cheaters continue to play at least 5 times a week yearly on others ID's. Recently, it was suggested that I take names and ID numbers to the tee time office and have them research the cheaters play history.

If you have any suggestions or comments on the above I would definitely like to hear them.

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