

| INSIDE THIS ISSUE |
|----------------------------------|
| President's Message |
| Legislative Bill Sponsors 5 |
| Capitol Beat 6 & 7 |
| Legal Ease |
| 2023 In Review |
| FMO Membership Application 13 |
| FMO Board of Directors & |
| District President's Info14 & 15 |
| Advertising with FMO16-17 |

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FEDERATION OF MANUFACTURED HOME OWNERS OF FLORIDA, INC.

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In Loving Memory

It is with great sorrow that we announce that Edward Johan Duffy passed away on November 7, 2023. Edward passed peacefully at home.

He was born on April 17, 1948, in Shotts, Scotland. Part of his youth was spent in Norway before coming to the United States. He is predeceased by his father, mother and brother.



Ed was very proud of the fact

that he had his pilot's license before learning how to drive a car. He worked for Pan Am Airlines for a brief time before joining the New York City Police Department. Ed retired from the police department and relocated from Nanuet, NY to Wappinger Falls, NY.

He and Susan met and as the saying goes "the rest is history". They celebrated their 36th wedding anniversary on July 25, 2023.

Ed's passion was soccer. He was a New York State Soccer referee for many years and coached whenever he could. He was an enthusiastic people watcher and enjoyed taking candid shots of unsuspecting individuals. Photography became a passion in his later years.

Ed is survived by his wife, Susan, son, Scott; stepsons Douglas Simpson and his wife Michelle; and Jason Simpson; grandchildren: Mikayla Simpson, Quinn Simpson and Enzo Duffy.

Ed was very proud of his family and loved them very much. He loved a good argument and a good joke. He will be missed by all whose lives he touched.



The bad news is time flies. The good news is you're the pilot.

MICHAEL ALTSHULER



ON MY MIND...

Rick Hollenbach, FMO President



As I See It—2023 In Review

As 2023 comes to a close, a review reveals that 2023 was a year of change and growth for FMO.

Our accomplishments include:

Successful transition to a management and administration company specializing in assisting organizations like FMO to stabilize and grow.

Developed policies and procedures to optimize the website and membership database. (This is ongoing)

Expanded our educational seminars for Florida statutory compliance. Our education committee conducted five compliance seminars, with approximately 146 attendees per session. This training helps to equip HOA boards to manage the many challenges and complex issues that our communities are facing.

Updated training manuals to include current laws, statutes and requirements.

Consolidated Legal Fund membership expanded to 40 HOA's and approved the first grant for HOA litigation.

Lobbied to extend the Mobile Home Tie-Down Program. FMO legislative counsel and PAC committee worked diligently to get the Governor's approval of \$7M in additional funds to reduce the backlog of homes waiting to be serviced. Presently, the tie down program has completed over 50,000 homes statewide.

Continued communications with leadership of Florida Manufactured Housing Association (FMHA)

Submitted legislation for the 2022 legislative session. Through fierce lobbying efforts, FMO obtained sponsors in both the Florida House and Senate for HB751. Although this bill failed to get out of the committee hearings, we are trying once again.

Submitting legislation for the 2023 legislative session. The main focus of our proposed legislation are: Mediation, Home Health Care Live-ins, and the

Relocation Payouts. Our new bill is HB 613, removing the utilization of the Attorney General's office, and requiring DBPR's to enforce the full statute.

Major changes made to reduce overhead costs:

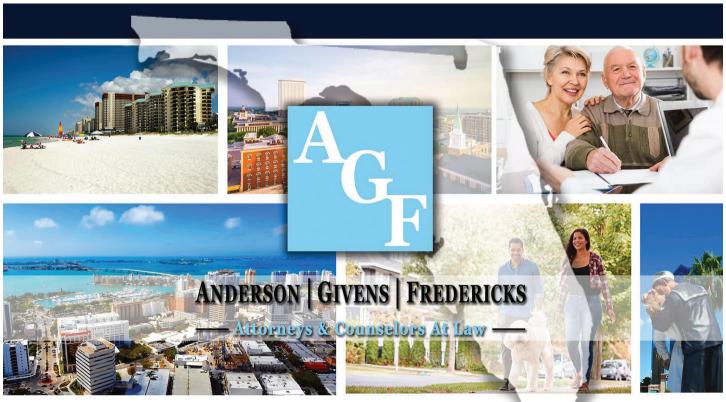
- Moving the 2023 Assembly to a web based platform; making this changed saved approximately \$15,000 and creates an opportunity for every FMO member to attend
- Eliminated the print copy of the FMO magazine during the summer months when many members have left for the summer. The magazine is produced and available online.

This is a snapshot of the many accomplishments for 2023. The FMO Board of Directors will be meeting in January to finalize the plans for 2024. Those plans include increasing FMO's visibility on a national scale, expanding the education components, increasing member awareness and growing membership in order to have a larger presence in Tallahassee.

Here's to a bright future! Happy New Year! Rick Hollenbach, FMO President







Mobile Home and Association Attorneys | www.AndersonGivens.com

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Representative
District 47
Republican

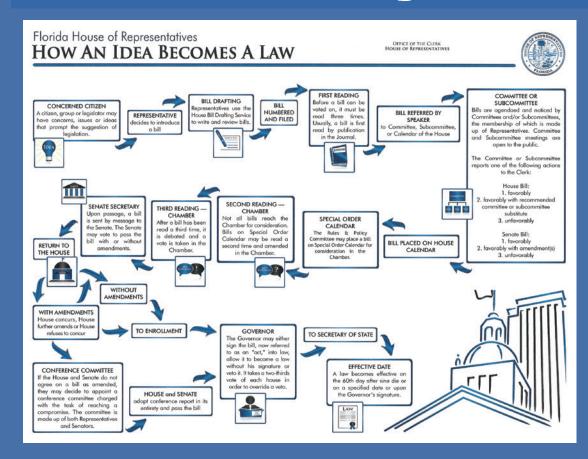
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Colleen Burton
Senator
District 12
Republican

Legislative Aides: Denise DeBow, Lara Medley & Brittany Rembert

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CAPITOL BEAT

Your News from Tallahassee

By FMO Legislative Counsel, Nancy Black Stewart



END OF THE YEAR, ALREADY?!?

Good grief, folks! Where did this year go?? As we head into the holidays, I wish all of you, and yours, the very best of the season. And here we go for a busy 2024!

The FMO will support House Bill 613 during the 2024 Regular Session which begins January 9th. Representative Paula Stark, (Florida House District 47 covering parts of Osceola and Orange), is the bill sponsor for House Bill 613. Representative Stark said, "Over the past several months I have been involved with some of the challenges of the mobile home owners in my House District. I am concerned about the well-being of my constituents as I have seen first-hand the inequality between the home owners and the park owner. My bill won't solve all the problems, but I believe it will be very helpful over time." The link to HB 613: https://www.flsenate.gov/Session/Bill/2024/613/BillText/Filed/PDF

The Senate companion bill will be sponsored by Senator Colleen Burton, (Senate District 12 representing part of Polk). The bills are similar, although not identical. At this writing the proposed Senate Bill is still with the Senate Bill Drafting Service.

When the bills are referred to their respective committees, FMO will put out a call to action so you can reach out to those specific committee members as you have done over so many years. In the meantime, please contact your own Senator and Representative to ask for their support. The House, (www.myfloridahouse.gov), and Senate, (www.flsenate.gov) websites are user friendly and all you need is your own address! In the Senate, click on Senators and go to Find Your Legislators. With the House Home Page, scroll down and click on the Find Your Representative box.

The following information should be helpful as you organize your outreach to Legislators. Please understand that the bills are likely to change as we move forward and the information below will be updated.

• The bill improves the opportunity to mediate a dispute between homeowners and the park owner. In current law, mediation may be requested relating to

whether a lot rent increase is unreasonable, whether a change in services or utilities is unreasonable, or whether a change in the rules and regulations is unreasonable. The Division has frequently been unresponsive to the request. [amend s. 723.037, s. 723.038, s. 723.0381]

- --Creates an alternative to Division involvement in that it permits the parties to a dispute to agree to select a mediator without petitioning the Division for mediation.
- --The bill leaves intact the procedure in current law to involve the Division if that is the choice.
- The bill addresses several issues in the event that a homeowner must have a live-in health care aide or assistant: [amends s. 723.051]
- --Clarifies that pursuant to the Federal Fair Housing Act a live-in health care aide or assistant shall have ingress and egress to and from the homeowner's site, similar to an invitee as in current law.
- --The live-in health care aide or assistant will have no rights of tenancy in the park.
- -- The homeowner will pay for a background screening if one is necessary.
- --The homeowner is responsible for removing a livein health care aide or assistant, and those associated costs, if the person is no longer necessary.
- The bill will increase the payout amounts from the Florida Mobile Home Relocation Corporation: [amends s. 723.0612] Hopefully none of you will ever need to be involved with FMHRC, but if you must relocate due to a change in use of the land, this information is important.
- --When a park is closing due to a change in use of the land, the homeowner may apply for assistance to relocate the home, as long as the homeowner has received no funding from park owner who is closing the park.

......CAPITOL Continued on page 7

CAPITOL Continued from page 6.....

--For a relocation, the homeowner receives a voucher which is made payable to the company that provides the relocation services. The voucher may be redeemed by the relocation service for up to two years. Currently there is no expiration.

--If the home can not be relocated, the homeowner may abandon the home in the park and apply for funds as long as the homeowner delivers the current title to the home to the park owner.

--Relocation of a single section would increase from \$ 3,000 to \$ 6,500 and relocation of a double unit would increase from \$ 6,000 to \$ 11,500.

--For an abandonment, the payout would increase from \$ 1,375 to \$ 5,000 for a single unit and increase from \$ 2,750 to \$ 7,000 for a double unit. **These numbers are being reviewed for actuarial soundness so they may change.**

-- These amounts more closely align with current economics.

As always, thank you for your support of FMO. FMO is Florida's oldest and largest advocacy group for mobile and manufactured homeowners. Together we can make a difference!





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Q: We are considering a recall of some of the Directors of our Association because they are not acting in the best interest of the homeowners. Is a written recall better than holding a recall meeting?

A: First and foremost, recalls tear communities apart. They should only be pursued as a last resort when rational and reasonable discussions and compromises are no longer an option.

Generally speaking, any Director may be recalled with or without cause from office by a majority of all members of the Association.

Per Section 723.078(2)(i), Florida Statutes, a recall may be by written agreement or at a special meeting of the members. The procedure for a recall by written agreement is governed by Rule 61B-33.003, Florida Administrative Code. The procedure for a recall at a special meeting of the members is governed by Rule 61B-33.002, Florida Administrative Code.

Per Section 723.1255(1), Florida Statutes, a dispute between a homeowner and the association regarding the outcome of a recall of Directors is subject to arbitration by the Division.

It is important to note that in the event that the outcome of a recall is disputed, the Division will not accept a recall arbitration petition when there are 60 or fewer days until the scheduled reelection of the board member sought to be recalled or when 60 or fewer days have not elapsed since the election of the board member sought to be recalled.

Q: Our Park Owner is attempting to include new fees and charges by rules that are not included in our prospectus. Is this allowed?

A: No. Section 723.035(2), Florida Statutes, is clear that no rule or regulation shall:

"provide for any payment of any fee, fine, assessment, or charge, except as provided in the prospectus . . "

The only exception is stated in Section 723.035(2), which provides that such fine, fee, assessment, or charge is permitted if included in the offering circular filed under s. 723.012, if one is to be provided . . . "

Thus, it is important to review your specific prospectus and your offering circular, if one was required to be filed by the Park Owner.

In the event the fee, fine, assessment, or charge is permitted above, the fee, fine, assessment, or charge may not be imposed unless the park owner provides notice as provided under Section 723.037, Florida Statutes, which permits the homeowners the opportunity to meet and challenge the newly imposed fee, fine, assessment or charge.

Q: In our park, the Park Owner is seeking to adopt a new rule regarding the type and style of underskirting for our homes and is requiring all homes to be updated to this new type and style of underskirting within the next 36 months. While the Park Owner has indicated publicly that the homeowners are not required to buy from him, there is the veiled threat of eviction if we do not purchase from him. Can we be evicted for not purchasing the new type and style of underskirting from the Park Owner?

A: Per Section 723.043, Florida Statutes, a Park Owner can never compel a homeowner to purchase from the Park Owner "underskirting, equipment for tying down a mobile home, or any other equipment required by law, local ordinance, or regulation of the mobile home park." Accordingly, you cannot be evicted for not purchasing the newly required underskirting from the Park Owner.

.....LEGAL Continued on page 9

LEGAL Continued from page 8.....

You should also review your prospectus to determine if the purchase of the newly required underskirting can be compelled. While Section 723.043, Florida Statutes, provides that a Park Owner may determine by rule or regulation that underskirting must be purchased from a vendor of the Park Owner's choice, the style or quality required must have been disclosed in the prospectus. Accordingly, if your prospectus lacks the specified style or quality of underskirting, you and the other homeowners may have a valid defense to the new rule. You would need legal counsel to review the proposed rule and your prospectus in this instance.

Q. Our Park Owner is always looking for new ways to increase revenue without increasing the lot rental rates. We have very limited parking on our lots, with most homeowners having only one or two parking spaces. Thus, most overnight guests have to park in the guest spaces. The Manager has floated the idea of requiring the payment of a "fee" for overnight guest visits to be issued an "overnight pass" or for the parking overnight in guest spaces. This seems wrong. Would such fees be permitted?

A: Per Section 723.051(3), Florida Statutes, an invitee of a home "is defined as a person whose stay at the request of a mobile homeowner does not exceed 15 consecutive days or 30 total days..."

Section 723.051(1), Florida Statutes, provides that "[a] n invitee of a mobile home shall have ingress and egress to and from the home owner's site without the home owner or invitee being required to pay additional rent, a fee, or any charge whatsoever." This statute further states that "[a]ny mobile home park rule or regulation providing for fees or charges contrary to the terms of this section is null and void."

Based upon the above statutory citations, a "fee" cannot likely be charged for an invitee to obtain an "overnight" parking pass if parking on the homeowner's lot. This "fee" would likely be seen as an invalid "fee" or "charge" for having ingress and egress to the lot.

However, if such a fee or charge is included in the prospectus for the use of guest parking spaces, it is possible that the charge may be permissible as ingress and egress to a lot is technically not being prevented.

This matter should be reviewed by legal counsel as the specifics of the applicable prospectus and for compliance with the adoption requirements of Section 723.037, Florida Statutes.

Q. I am working with other homeowners to start an association in my Park. We have the homeowner votes necessary to start the association. Besides filing our Articles of Incorporation, what information/actions do we need to take with the Park Owner?

A: Once you have the votes necessary to create your Association and to file your Articles of Incorporation with the Division of Corporations, your Association then has a statutory obligation to notify the Park Owner.

Section 723.076(1), Florida Statutes, requires that "the homeowners' association shall notify the park owner in writing of such incorporation and shall advise the park owner of the names and addresses of the officers of the homeowners' association by personal delivery upon the park owner's representative as designated in the prospectus or by certified mail, return receipt requested . . ."

Further, Section 723.076(3), Florida Statutes, provides that the Association shall file a notice of its right to purchase the mobile home park as set forth in Section 723.071, Florida Statutes.

The notice of the Association's right to purchase the Park shall contain the name of the Association, the name of the Park Owner, and the address or legal description of the park and shall be recorded with the clerk of the circuit court in the county where the Park is located. The Association

Within 10 days of the recording, the Association is required to provide a copy of the recorded notice to the Park owner at the address provided by the park owner by certified mail, return receipt requested.

Note – Section 723.076(1), Florida Statutes, also imposes a continuing duty upon the Association to notify the Park Owner in writing by certified mail, return receipt requested, of any change of names and addresses of the Association's President and Registered Agent and other Director and Officer changes by election or appointment.

2023 in Review

Jeremy Anderson, FMO Attorney

While 2023 will be remembered in part as one filled with continued park purchases across the state by out-of-

state investment firms, drastic increases in lot rental rates, and the many new park Rules and Regulations, many homeowners will also remember 2023 as the year when their homeowner associations stood up to overreaches by Park Owners.



Of course, not all Park Owners acted badly this year. However, many Park Owners attempted to increase their revenue by imposing drastic and unreasonable lot rent increases in lot rental, imposing new impermissible fees, or further cutting corners on maintenance, services, and amenities. While not all homeowners' associations were successful in stopping these overreaches by Park Owners, there were many that were successful at opposing lot rent increases, negotiating multi-year lot rental rate agreements, objecting to unlawful rules and regulations, and

forcing Park Owners to provide access to the amenities promised in a safe and well-kept manner.

2023 should be the year remembered as the "Great

Awakening," where homeowners woke up and realized that they needed to refocus their energies on having effective and efficient homeowners' associations better equipped to protect the interests of the homeowners. 2023 marked the end of the days when it was sufficient for homeowners' associations to just be the park's "social club" or the entity

that provided a monthly venue to complain about the Park Owner. 2023 was the year when more homeowners took time to educate themselves on the laws governing mobile home park living, stepped up to take leadership roles within their communities, and when their homeowners associations provided pushback against Park Owner overreach. It is my hope and belief that this trend and this focus will continue into 2024 and beyond and will be bolstered by the work of FMO, its volunteers, and its members.



Many Thanks...

FMO would like to thank lifetime member Paul Korns, former homeowner at Lazy Days Village in Fort Myers, for his decades long support of FMO. Paul and his wife have moved back to Ohio but wanted us to know that they love FMO and appreciate all that it's done for mobile and manufactured homeowners over

the years. We're grateful to receive their wishes for continued success.

Paul, FMO's success can be directly attributed to the dedication, hard work and commitment of members like yourself. We are forever grateful for your contributions. Best wishes to you and your wife.

District 1 Meeting

Pictured are FMO
officers and board
members for FMO
District 1
L to R: Jim Parker, Ken
Ingalls, Alice Murray,
Walter Oppermann, Dick
Gebo, & Mike Rice
Seated: FMO President
Rick Hollenbach



Congratulations Bear Creek Village of Ormond Beach HOA Board

Congratulations to the Bear Creek Village HOA Board for achieving 100% FMO membership!

Pictured: First row:
Celeste Mastrobuono,
VP; Laura Henley,
Director, Fran Canfield,
President, Dee Bigelow,
Secretary Second row:
Larry Utz, Treasurer,
Ron Provencal, Director;
Jack Spottiswood,
Director



District 3 Meeting

John Petrella addressing members and guests at the District 3 meeting held November 16th at Mid Florida Lakes in Leesburg, Fl.



Navigating the Mobile Home Insurance Market: Opportunities and Restrictions in the New Normal



Submitted by Cody Hamlin, Professional Insurance

In recent months, the mobile home insurance market has experienced a shift, slowly opening up after a period of relative stagnation. However, this renewed momentum comes with a set of restrictions, primarily tied to the age of the homes seeking coverage and the age of the roof. Policyholders are finding both challenges and opportunities in securing comprehensive coverage for their mobile homes.

One notable trend in the reopening of the mobile home insurance market is the imposition of restrictions based on the age of the home. Insurers are increasingly scrutinizing older mobile homes, often setting limits on coverage and requiring a newer roof to obtain insurance.

The mobile home insurance market is showing signs of revitalization, offering increased options for homeowners. However, the resurgence comes with a caveat – age restrictions that necessitate a careful balancing act for insurers and homeowners alike. By understanding these dynamics and taking proactive measures to address them, mobile homeowners can navigate the evolving insurance landscape and secure the coverage they need to protect their homes and belongings. As the market continues to adapt, homeowners and insurers

must work collaboratively to strike a balance between accessibility and risk mitigation in this unique sector of the housing market. We can help navigate through all the available options at Professional Insurance. Give us a call today!

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| *Name: | | | | |
| Co-Member: | | | | |
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| DISTRICT | COUNTY | SECTION |
|----------------|---|---------|
| District 1 | Polk | E |
| District 2 | Pinellas | A |
| District 3 | Lake | F |
| District 4 | Indian River, St. Lucie, Okeechobee and Martin | G |
| District 5 | Manatee | В |
| District 6 | Desoto, Hardee, Highland, and Glades | E |
| District 7 | Charlotte, Lee, Collier, and Hendry | В |
| District 8 | Sarasota | В |
| District 9 | Brevard | G |
| District 10 | Hillsborough | A |
| District 11 | Pasco | A |
| District 12 | Miami-Dade, Brower, and Monroe | D |
| District 12-A | Palm Beach | D |
| District 13 | Marion | F |
| District 14 | Volusia and Flagler | С |
| District 15 | Bradford, Clay, Nassau, Duval, and St. Johns | н |
| District 16 | Seminole, Orange, and Osceola | С |
| District 17 | Citrus, Hernando and Sumter | A |
| Park Name: | | 8 |
| County: | | |
| District Numb | er: | |
| Section Letter | • | |

PLEASE NOTE

Your membership cards can be printed online at www.fmo.org after signing into your member record.

Please contact your District President or your Section Director for questions regarding HOA-related inquiries.

FMO Headquarters

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Chris Ball, President Seminole, Orange and Osceola Counties

DISTRICT 12 Position Open

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DISTRICT 12A President Position Open

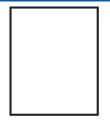
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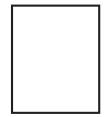
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FMO President, Rick
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Nancy Stewart Legislative Counsel

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| 1/6 Page | \$300 |

^{*}Regional rates are for providers that service regional-specific territories. If you service the entire state, statewide rate apply.

SEE MAP FOR REGIONS.

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| 1/6 Page Vertical | 2.25"Wx 4.34"H |
| 1/6 Page Horizontal | 3.625"Wx3.14"H |
| BUSINESS CARD SECTON | 3.5"Wx1.9"H |
| Classified | 30 words max |
| Digital | 160 by 195 pix |
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| | |



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For additional information contact Cynthia Carter-Lee cynthiacarterleefmo@gmail.com

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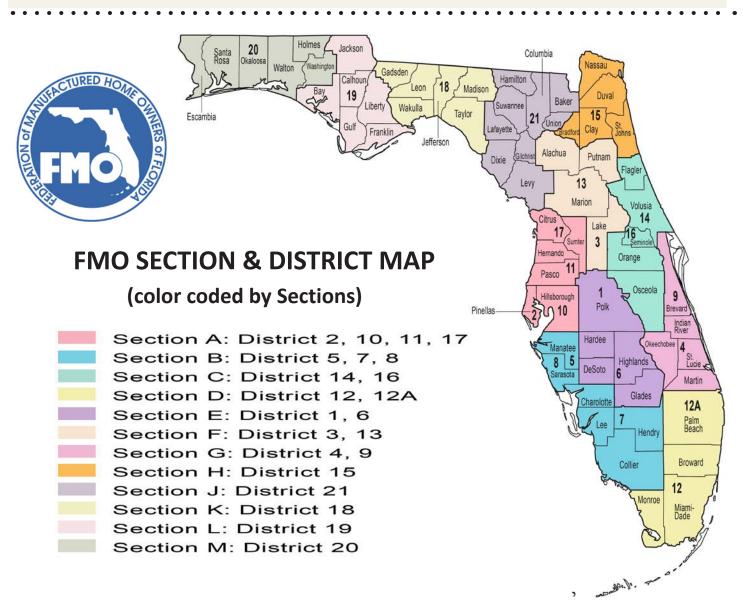
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| MHD (Mobile Home Depot) | mobilehomedepot.net | 10 |
| BUSINESS CARD ADVERTISERS | · | 17 |
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