

Bylaws

Federation of Manufactured Home Owners of Florida, Inc.

(Also known as and referred herein as the FMO) as adopted by the FMO Assembly December 2021

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Definitions Applicable to the Bylaws

Associate-Member: Any person who pays the required dues but does not meet all the requirements to be a Member.

Delegate: Members who are sent to the State Assembly to represent their FMO District membership.

Homeowner: The name of the person who is on the title of the manufactured/mobile home.

Lot: The ground on which the manufactured/mobile home is located, whether rented or owned.

Member: Any person who meets all the requirements and pays the required dues.

Park Representative: A Park Representative acts as a liaison between the FMO and their community members.

Quorum: The smallest number of a group or assembly that must be present in order to start a meeting and make binding decisions or carry-on business.

Reside: To make one's home; To take up one's abode; To dwell permanently or for a considerable time in one place; To live at a particular place.

Residence: The place where a person lives; The act or period of residing; To have as one's dwelling, place, or abode; To reside at; The fact of living or staying regularly at or in some place for a length of time.

Resident: Is a person who physically resides/lives at a specific location for a specific amount of time during the year.

Unit: The manufactured/mobile home.

ARTICLE 1: ORGANIZATION

- Section 1.** The name of the corporation is the Federation of Manufactured Home Owners of Florida, Inc., herein called the “FMO”. All references herein to manufactured/mobile home or manufactured/mobile home park or community shall be deemed to mean “manufactured/mobile home.”
- Section 2.** The FMO was incorporated as a not-for-profit, non-stock corporation on August 3, 1962. As established by the Articles of Incorporation, the fiscal year shall run from January 1 thru December 31.
- Section 3.** The mailing address shall be established and maintained by the Executive Director.
- Section 4.** The FMO is organized into numbered geographical sections encompassing all areas of the state of Florida. Each section is headed by a Section Director. The sections are further divided into districts. Each District is headed by officers elected by the membership of their District.
- Section 5.** The administration of the FMO is vested in a Board of Directors consisting of President, Vice President, Treasurer, Section Directors, and Directors-at-Large. An Executive Director, appointed by the Board of Directors, is responsible for the day-to-day management of the FMO. A Secretary may be appointed by the Board of Directors. The Executive Director is the custodian of the official seal and records of the FMO. The Treasurer is the custodian of all FMO funds.
- Section 6.** No part of these bylaws shall be contrary to the Articles of Incorporation or any law of the State of Florida or of the United States. Any bylaw or portion thereof found by a court of competent jurisdiction to be in violation of any law of the State of Florida or of the United States shall be deemed null and void and of no further effect. However, the remaining bylaws will remain valid and in effect.
- Section 7.** All FMO Members, District Officers, Section Directors and Directors-at-Large and FMO Officers must adhere and comply with these Bylaws and the Policies and Procedures of the FMO. Copies of both are available from the FMO Office and can be viewed on the FMO website.

ARTICLE II: PURPOSE

- Section 1.** The purpose of the FMO is to promote the general welfare of its members and protect the rights and interests of manufactured/ mobile home owners; to be a consumer advocate for manufactured/mobile home owners; and, to provide a legal entity that shall have the authority to acquire by gift, purchase or otherwise hold, improve, operate and maintain real or personal property for its members.
- Section 2.** Except as may otherwise be provided herein or in the Articles of Incorporation, no part of the net income of the FMO shall be used for the benefit of any individual member, except for membership-benefit programs and/or authorized services rendered.
- Section 3.** All members, their officers, directors, and staff will be guided by the following in achieving the organization’s purpose:

- a) Commitment to democratic principles with equitable treatment and fairness to all its members.
- b) Full transparency, openness, and access by any member to official FMO records upon receipt of a detailed request, which must be given at least two (2) weeks prior to the date at which the member or the member’s legal representative wants to view the records. Any cost involved will be paid by the requesting party. This does not include records required by law to be confidential such as employee personnel files.
- c) Maintain sufficient financial resources to fund advocacy and legal initiatives to benefit the organization and its members.

ARTICLE III: MEMBERSHIP, PRIVILEGES, DUES

Section 1. There are two categories of membership in the FMO: members and associate-members. Within these two categories of membership, there are terms of membership described as lifetime, three-year and annual.

Section 2. Member Categories

- a) A member is any person who is a bona fide owner of a manufactured/mobile home as defined in Florida Statute 723.075 (3), located in the State of Florida, and who has made application for membership and paid the required dues. Members who no longer qualify for designation as a member shall be afforded the opportunity to convert their type of membership to that of an associate member.
- b) An associate-member is a person who has an interest in the FMO but may or may not own a manufactured/mobile home and may or may not live in a manufactured/mobile home community but wishes to support the efforts and goals of the FMO.

Section 3. Terms of Membership.

- a) Annual Membership: Individuals who make application for and pay the required dues on a yearly basis will have annual memberships.
- b) Three-Year Membership: Individuals who make application for and pay the required dues in advance will have three (3) year memberships.
- c) Lifetime Membership: Prior to April 1, 1996, FMO Lifetime memberships were available to members. All lifetime memberships in effect on April 1, 1996, shall remain valid as long as eligibility is maintained in accordance with Section 2 and Section 3 of this Article. This term of membership is no longer available to new members.

Section 4. Rights and Privileges.

- a) Members are eligible for all benefits of the FMO as established by the Board of Directors and have the right to vote and hold office. To be eligible to hold an elective or appointed office, the member must own and reside at least five (5) months of the calendar year in a manufactured/mobile home community in the State of Florida. All elected or appointed officers must be able to participate in the duties and activities required of their office. They must also be available by telephone or other electronic means throughout the entire year.

- b) Associate members shall also receive all benefits of the FMO as established by the Board of Directors. They may attend and participate in all FMO District Meetings, but they do not have the right to vote or hold office.
- c) Any members who let their membership lapse for ninety (90) days after their renewal date will be removed from the membership.

Section 5. Dues.

- a) The membership year shall begin on the date the membership application is processed and extend through a twelve (12) months period for annual memberships and a thirty-six (36) months period for three-year memberships.
- b) The dues for various terms and types of membership may be changed and implemented by a majority vote of the Board of Directors following a ninety (90) calendar day notice of intent posted on the website, published in FMO Magazine, and sent by e-mail to every member with a valid e-mail address on file.

ARTICLE IV: FMO OFFICERS

Section 1. The elected officers of the FMO shall be President, Vice President, Section Directors, and Directors-at-Large.

Section 2. The appointed officers of the FMO are Secretary and Executive Director. The position of Executive Director cannot be combined with any elected office. All appointed officers may attend all Board of Directors meetings but shall have no voting power at the Board of Directors meeting and will serve at the pleasure of the Board of Directors.

Section 3. Recognizing the special skills and experience required for the position, the Treasurer shall be appointed by the Board, and shall be a full voting member of the Board. The Treasurer shall serve at the pleasure of the Board of Directors.

Section 4. The President, Vice President, Treasurer, Section Directors and Directors-at-Large shall constitute the Board of Directors.

Section 5. The Board of Directors is charged with the responsibility of administering the purposes, objectives, and properties of the FMO. All corporate powers must be exercised by or under authority of, and the affairs of the corporation managed under the direction of, its board of directors, subject to any limitations set forth in the articles of incorporation. Specific powers and duties of the Board of Directors shall include, but not limited to:

- a) Establish policies by which the FMO officers and staff conduct the business of the FMO.
- b) Approve/disapprove the appointment of FMO officers and employment of the Executive Director.
- c) Determine the number and geographical boundaries of the sections and districts of the FMO.
- d) Perform other duties stated in these bylaws and comply with the directives approved by the State Assembly.

Section 6. The duties of the President shall include, but are not limited to:

- a) Preside at all Board of Directors and State Assembly meetings.

- b) Fill vacancies among all levels of FMO Officers and Committees, subject to approval of the Board of Directors, with any appointment to serve until the next election period at the State Assembly, if that position is an elected one.
- c) Co-sign all contracts in excess of \$5,000 together with the FMO Treasurer or the Executive Director. All checks issued over \$5,000 must have two signatures. Negotiate all contracts with Counsel, vendors, and third parties. May designate this duty to Executive Director or designated member of the Board of Directors.
- d) Conduct such other business of the FMO as may be directed by a majority of the Board of Directors or the State Assembly.
- e) Provide the Board Members with all the information and reports that are being forwarded to District Officers for further distribution to their membership.

Section 7. The duties of the Vice President shall include, but are not limited to:

- a) In the absence of the President, preside at all meetings that the President is required to attend.
- b) Perform such assignments as may be handed down by the President or the Board of Directors.

Section 8. The duties of the Treasurer shall include, but are not limited to:

- a) Chairman of Finance committee
- b) Assist other Board members in the preparation of monthly and annual budget
- c) Review statements and provide advice on issues pertaining to business finance
- d) Provide advice in order for the Board to make informed decisions on behalf of the organization involving investments and expenditures
- e) Propose, in conjunction with the Board of Directors, and Review internal controls that reduce risk of fraud, waste and abuse
- f) Review budget prior to expenditures for assets, expenses, and individual projects.
- g) Provide oversight of the Finance and Accounting Departments
- h) Ensure tax forms or applicable extensions are filed timely by the Finance Department or accountants
- i) Interact when requested with organization auditors
- j) Prepare monthly compilation financial statement in agreed upon format from unaudited organization financial records provided by the Finance Dept.
- k) Submit periodic reports detailing the company's present financial situation and forecasting the coming quarter
- l) Oversee Implementation of company internal control policies proposed by the Board members regarding documentation and accounting of receipts and other financial information
- m) Meet with the finance and accounting departments and assist in developing financial strategies quarterly and yearly

- Section 9.** The duties of the Section Directors shall include, but are not limited to:
- a) Promote liaison between the Board of Directors and the Districts in their Sections.
 - b) Promote Sectional vitality and growth and advise the Board of Directors on matters of concern within the manufactured/mobile home communities in their Sections.
 - c) Perform such duties as may be assigned to them by the President or Board of Directors.
 - d) Attend District Meetings within their Section when possible.
 - e) Assist in arranging for speakers at District Meetings if requested by the District Officers.
 - f) Distribute all information and reports to their District Officers as instructed by the President or the Board of Directors.
 - g) Conduct meetings where there are no District Officers, or the District Officers are to be absent from the District Meeting within their section.

- Section 10.** The duties of the Directors-at-Large shall include, but are not limited to:
- a) Perform such duties as may be assigned by the President or the Board of Directors.
 - b) Carry out the duties of a Section Director in those Sections where there is no Section Director, or where the Section Director is unavailable, if so requested by the President or the Board of Directors.
 - c) Assist other Section Directors if requested or assigned.

Section 11. Resignation of an FMO officer can occur at any time and it must be in writing and delivered to the FMO Board of Directors and Executive Director in care of the business office via email and/or USPS mail. The resignation is effective when the notice is delivered unless the notice specifies a later date. Should the resignation be at a later date, the Board of Directors may fill the vacancy before the effective date, but that successor cannot take office until the effective date of the resignation. Upon receiving such resignation, the Board of Directors shall fill the vacancy by appointment as quickly as possible. If the position is that of a Section Director, then the District Presidents and District Officers of the affected Districts shall elect a new Section Director. Should they not elect a replacement within 2 months, the Board of Directors may appoint a qualified member to serve out the term.

ARTICLE V: ELECTIONS

Section 1. Only members are eligible to hold elected offices in the FMO. To hold an office a person must own and reside in a manufactured/mobile home community in the State of Florida at least five (5) months during the year.

All elected positions and offices, with the exception of District Presidents and District Officers, will commence after being given the oath of office prior to the adjournment of the FMO State Assembly.

Section 2. The term of office for all elected FMO Board members shall be two (2) years.

- Section 3.** Elections shall be held in accordance with the following schedule: The election for the offices of President, Vice President, Section Directors and Directors-at-Large shall be held at the Biennial State Assembly. In the event of an entirely new slate of elected officers, the immediate Past-President shall serve on the Board of Directors as a non-voting member, giving advice when requested.
- Section 4.** No member of the Board of Directors shall fill two elective FMO offices. Members of the Board of Directors shall not serve in any District office.
- Section 5.** Should the office of President become vacant, the Vice President shall assume the office of President. The Board of Directors shall vote for someone to fill the position of Vice President as soon as possible. Any other vacancy shall be filled by a vote of the majority of the Board of Directors. The person appointed to fill the vacancy will serve until the next FMO State Assembly.
- Section 6.** Should simultaneous vacancies occur in the office of both the President and Vice President, the Board of Directors shall fill both vacancies by election from among current members of the Board of Directors or other qualified members deemed capable of fulfilling the duties and responsibilities of these positions. These appointment(s) shall be effective until the next regularly scheduled election for the offices of President and Vice President at the State Assembly.

ARTICLE VI: MEETINGS

- Section 1.** The general meeting of the FMO membership shall be the State Assembly, which shall be held in November or December of the odd numbered years. The specific date and location shall be determined by the Board of Directors.
- Section 2.** The Board of Directors shall hold at least six (6) meetings per year. The Board of Directors and all committees shall be authorized to meet through electronic communications media so long as all the attendees can simultaneously hear each other and participate during the meeting. The projected dates of such meetings should be made known to all Directors by the President or the Executive Director, with notices, including the proposed agenda, being sent not less than five (5) days prior to their occurrence.
- Section 3.** A quorum for Board of Directors meetings shall be a majority of the sitting Board of Directors. Approval of a motion shall require an affirmative vote of the majority of those present or joining the meeting by video or telephone conference call.
- Section 4.** Special meetings may be called by the President or by any three (3) members of the Board of Directors. The agenda for any special meeting shall be limited to only the purpose for which the meeting is called.
- Section 5.** Draft minutes of all Board of Directors meetings shall be available and distributed to the Board of Directors within ten (10) business days following such a meeting. At the next regular scheduled meeting of the Board of Directors the Director will note any changes and if none the minutes will then be approved. After all corrections are made, and the minutes have been approved, the approved copy will be distributed to the Board of Directors within five (5) business days, if no corrections are made the original copy will justify receiving of the minutes. A copy of the approved minutes will be available at the business office during normal business hours and by appointment. A copy of the

approved minutes will be posted on the FMO website within ten (10) business days after the minutes have been approved.

Section 6. After approval by the Board of Directors, a copy of the minutes shall be distributed via e-mail to the District Presidents and Section Directors within ten (10) business days.

ARTICLE VII: STATE ASSEMBLY

Section 1. Composition:

- a) The voting body of the State Assembly shall consist of the elected FMO Officers, who shall be Delegates-at-Large, and at least three (3) delegates from each District. The District Presidents shall be members of the delegation by virtue of their office unless they cannot attend. All delegates must be members of the District they represent.
- b) A District having more than 3,000 members shall be entitled to an additional delegate for each 1,000 members or major fraction thereof (501+).

Section 2. District Presidents, or the ranking District Officer, must submit the names of delegates to the business office no less than forty-five (45) calendar days prior to the first date of the State Assembly.

Section 3. Reimbursement of delegate's expenses shall be defined by the policies and procedures.

Section 4. A quorum shall consist of a majority of the number of eligible delegates present in the meeting room at the start of the State Assembly. There shall be one (1) vote per delegate present at the time votes are taken. No proxies, no absentee ballots, and no substitute delegates for missing, absent, or late delegates shall be allowed.

Section 5. Notices of the biennial or any special State Assembly shall be published in a timely manner, in order that the membership will receive such notice a minimum of sixty (60) days prior to the date of the meeting.

Section 6. The State Assembly shall be open to all members of the FMO, but non-delegate attendees are to be silent and are not permitted to participate in the discussions or to vote. Any member wanting to attend must inform the FMO office at least two (2) weeks prior to the first day of the Assembly, to ensure that there will be space to accommodate them. Due to a facility's size, the number of non-delegate attendees may need to be restricted and apportioned by District.

Section 7. The duties of all delegates shall include, but not limited to:

- a) Represent the interests of the members of their District in all votes and actions.
- b) Approve a biennial budget that has been proposed by the Board of Directors.
- c) Participate in the election of members of the Board of Directors as provided in these bylaws.
- d) Vote on all motions and any business as may properly be brought before the State Assembly.
- e) Participate in seminars and discussion groups if scheduled concurrently with the State Assembly.

- f) If delegates are unable to attend the State Assembly, they must immediately inform the District President or ranking District Officer or the Section Director, so that another delegate can be appointed.

Section 8. The Election Procedure at the State Assembly shall include:

- a) A report from the nominating committee.
- b) A call for nominations from the floor for each office to be filled. All nominees shall meet the eligibility requirements for the office to which nominated and agree, either by voice or in writing, to accept the office if elected.
- c) If there is only one nominee for an office, a motion to elect by acclamation shall be in order.
- d) When two or more nominees are presented for an office, voting shall be by written ballot. A plurality vote of all State Assembly delegates shall be required to elect the President, Vice President, Treasurer and Directors-at-Large.
- e) To elect a Section Director, a plurality of the votes of the delegates from Districts comprising that Section shall be required. Delegates from Districts outside of the subject Section may not participate in this election.
- f) Officers elected shall assume their offices upon being installed prior to adjournment of the State Assembly.

Section 9. Minutes Approval Committee:

- a) Establishment.
 - i. The FMO President will appoint three (3) Delegates and/or attendees at the opening of the State Assembly to serve on a Minutes Approval Committee that will approve the minutes of the State Assembly.
 - ii. The President shall present a script to the Committee of the intended agenda items to facilitate their oversight of the minutes.
- b) Procedure:
 - i. The minutes of the meeting will be submitted to the committee within 30 days from the close of the State Assembly Meeting.
 - ii. The committee will submit their corrections, if any, and their written approval within 30 days after receipt of the minutes.
 - iii. The corrected and approved minutes will be forwarded to the FMO Board and FMO Executive Director to then be published on the FMO website.

ARTICLE VIII: FMO COMMITTEES

Section 1. The following committees constitute the standing committees of the FMO:

- a) Political Advocacy
- b) Finance
- c) Membership
- d) ROC
- e) Bylaws
- f) Consolidated Legal Fund
- g) Education

- h) Communications
- i) Park Closure and Development
- j) Nominating

Section 2. Special or ad hoc committees may be appointed by the Board of Directors to address a specific purpose and will be automatically dissolved upon completion of their assigned duties and submission of a final report.

Section 3. Except as otherwise noted in these bylaws, the following guidelines are applicable to all standing committees:

- a) District Presidents may furnish a list of recommended candidates, along with an outline of the candidate's qualifications, to serve on each standing committee to the Section Director for presentation to the Board of Directors prior to the State Assembly.
- b) Committee chairs shall be appointed for a two (2) year term by the President with approval of the Board of Directors and serve at the pleasure of the Board. Re-appointment of members to additional terms is at the discretion of the Board of Directors.
- c) The number of members on a committee shall be at least three (3) and shall not exceed the number of geographical sections in the FMO, unless specifically authorized by the Board of Directors.
- d) A quorum for committee meetings shall be a majority of the committee members present in person or by electronic media, communication, or a combination thereof.
- e) The office staff and facilities may be made available to assist any committee subject to the approval of the President.

Section 4. The duties of the standing committees shall include, but not limited to, the following:

A. Political Advocacy.

- a) Review submissions received from FMO members for legislation on behalf of manufactured/mobile home owners.
- b) Cooperate with our legislative consultant.

B. Finance.

- a) Propose a biennial budget to be approved by the Board of Directors and presented at State Assembly.
- b) Under the guidance of the Treasurer, monitor the budget during the biennial period and make periodic written reports to the Board of Directors on the financial condition of the FMO.

C. Membership.

- a) Provide suggestions to the Board of Directors
- b) Provide to the Board of Directors a monthly report of the current membership showing the total number of members, new members, non-renewals, and lost members.

D. Nominating.

- a) The Nominating Committee shall be composed of members without regard to geographical considerations. This committee will be appointed by the Board of Directors, have a minimum of five (5) members, and include at least three District Presidents.
- b) The duties of this committee shall include but not limited to:
 - i. Review the applications received from individuals desiring to run for state office.
 - ii. Determine eligibility of prospective candidates.
 - iii. Submit a report to the Executive Director *and Board of Directors* no later than sixty (60) days prior to the Assembly for publication in the FMO Magazine, Nov/Dec issue, in election years.
 - iv. Present their report to the State Assembly.

E. Consolidated Legal Fund

- a) The mission of the committee will be to assess the need to support legal actions that will have significant impact statewide, or within a county or municipality that will result in appellate precedent of law.
- b) Shall establish and maintain separate bank accounts.
- c) Eight members, consisting of two FMO Board members plus the FMO Treasurer; two district presidents; and three HOA presidents/past presidents. In addition, the FMO legal counsel shall attend all meetings of the Consolidated Legal Fund Committee and shall assist and advise the committee
- d) Review and maintain all physical contracts, payments, and payment histories for participating HOA's.

F. Park Closure and Development

- a) Track mobile/manufactured home park closures and issues related to park closures within the state of Florida. Promote the development of new manufactured home communities in the state of Florida.

ARTICLE IX: DISTRICT ORGANIZATION

Section 1. Districts shall have specific geographical boundaries as established by the Board of Directors.

Section 2. District Officers

- a) District officers shall be President, Executive Vice President and Secretary and/or Treasurer and may be elected by the District membership or appointed by the Section Director. Additional Vice Presidents may be elected or appointed to carry out specific duties assigned by the District President.
- b) When a new district is formed, or if there are no longer any active officers, the Section Director will appoint officers. They shall serve until the District Election-Year Meeting.
- c) If there are no longer any District Officers, the Section Director will perform as the District President until the positions are filled.

Section 4. Should the office of District President become vacant, the Executive Vice President shall fill the vacancy. In the event there is no Executive Vice President or other suitable officer

available within the District to fill the position, the Section Director may, within a reasonable period, appoint a qualified member to fill the position for the duration of the term.

Section 5. The duties of the District President shall include, but not limited to:

- a) Preside at all district meetings.
- b) Fill vacancies of district offices and committees subject to the approval of members at a district meeting.
- c) Appoint delegates to the State Assembly subject to the approval of members at a district meeting.
- d) Promote district vitality and membership growth.
- e) Schedule annual educational workshops for members.
- f) Perform such duties as may be directed by the Board of Directors or Section Director.
- g) Establish a communication network to disseminate information to members on a timely basis. This network may either be by written, telephonic or electronic means or a combination thereof.
- h) Will notify the FMO office of the date, time, and meeting information at least twenty (20) days before the meeting or as soon as a meeting date and place and program is known.
- i) Will arrange for guest speakers at meetings with topics or interest to District members.

Section 6. The duties of the Executive Vice-President shall include, but not limited to:

- a) Preside at district meetings in the absence of the District President.
- b) Perform such other duties as may be assigned by the District President.

Section 7. The duties of the Secretary shall include, but not be limited to:

- a) Perform such duties as may be assigned by the District President.
- b) Record the minutes of all District meetings and advise successors that the minutes must be kept for five (5) years.
- c) Make a record of all persons attending the District meetings and send a copy to the FMO office.

Section 8. The duties of the Treasurer shall include, but not limited to:

- a) Take custody of all District funds.
- b) Keep accurate records of all receipts and disbursements and advise successors that the records must be kept for (5) years.

Section 9. Park Representatives

- a) Duties: Park Representatives are the face of FMO in our communities. The park representative is to recruit members, monitor current FMO membership, inform the FMO members in their park and act as a liaison between the FMO and the community members, the HOA. and District Officers.
- b) Appointment: A park representative may be appointed by the District President, Section Director, or the applicable Home Owners Association, subject to the approval of the Section Director.

Section 10. The following provides the fiscal policy for Districts:

- a) Districts shall maintain a petty cash fund for the disbursement of incidental expenses incurred for District business.
- b) All receipts and disbursements at the District level will be accounted for in the District's monthly meeting minutes.
- c) Dissolution:
 1. In the event that a District is being dissolved, all funds, records, and property shall be forwarded to the FMO business office and not be given to another District.
 2. In the event a District is being merged into another District, all funds, records, and property will be turned over to the merged District.

Section 11. Removal of District Officers:

- a) District Officers may be removed from office for cause, which shall include but not be limited to misconduct in office, neglect of duties, failure to abide by the policies and procedures established by the Board of Directors, failure to adhere to the directives of the Section Director or Board of Directors, or otherwise fail to abide by the Bylaws, Articles of Incorporation, or laws of the State of Florida.
- b) Removal of a District Officer pursuant to this section shall be considered if the Board receives a statement in writing from any member, including any member of the Board of Directors, wherein the member states that the officer has engaged in any of the conduct set forth in Section (a) above which could constitute grounds for the officer to be removed. Upon receipt of the statement in writing, the Board of Directors shall meet within thirty (30) days to review the District Officer's conduct. Notice of the charge of misconduct shall be sent to the District Officer involved by Certified Mail to his/her last known address at least twenty (20) days prior to the date that it will be considered by the Board of Directors. The officer will be advised in writing of the reasons given in the written statement for which his/her removal is requested, and the officer shall be advised that he/she has the opportunity to submit any reason or data and to be heard on his/her own behalf at the meeting.
- c) Upon conclusion of the meeting, the Board of Directors shall determine whether the District Officer shall be removed from office as set forth herein and advise the officer in writing of its decision

ARTICLE X: DISTRICT MEETINGS/ELECTIONS

Section 1. District Meetings

- a) At least six (6) district meetings shall be held during the fiscal year January thru December. At least three (3) meetings will be held during January thru April and three (3) meetings will be held during September thru December. If no community volunteers to host a meeting, a previously scheduled meeting may be cancelled upon notifying the Section Director. Additional meetings may be scheduled at the discretion of the District President.
- b) To accommodate large numbers of members and the geography of a District, split sessions may be scheduled within a District. When split sessions are scheduled, the agenda for each session shall be identical and the cumulative vote of the sessions shall determine the approval/disapproval of motions.

- c) The District President shall set the date, time, and location of all meetings.

Section 2. District Elections

- a) An election of District Officers shall be held at the regularly scheduled January meeting of even numbered years with the date, time and location determined by District Officers. At the meeting prior to January of the even-numbered year, (typically December of the odd-numbered year), all nominations for elected officers will be taken. No nominations will be taken at the January meeting. At the January meeting, before the elections begin, all nominees will be given no more than five (5) minutes to speak. If there is more than one (1) nomination for a position, then a written ballot must be used.
- b) To be eligible to hold an elective or appointed district office, a person must be a member and reside in the State of Florida at least five (5) months of the year in a manufactured/mobile home community in the district.
- c) The voting body for District elections shall consist of all FMO members within that District.
- d) The District Secretary or President shall notify participating communities within their district of the pending election at least fourteen days prior to the election meeting. This notification can be done by either personally notifying the communities, by having a notice sent out to each community, by asking the park representative to inform the community or a combination thereof.
- e) There shall be one vote per FMO member. No proxy, absentee, or substitute votes shall be allowed.
- f) Election procedures shall include, but are not limited to:
 - i. Call for nominations from the floor for each office at the meeting in December of the odd numbered year prior to the election meeting in January of the even numbered year. All nominees shall meet the requirements of the office and agree, either by voice or in writing, that they will accept the office if elected.
 - ii. If there is only one (1) nominee for an office, a motion to elect by acclamation shall be in order at the election meeting held in January of the even-numbered year.
 - iii. When two (2) or more nominees are presented for a position, elections shall be by written ballot. The nominee receiving the most votes shall be elected.
 - iv. District officers shall assume their duties upon election and after taking the oath of office prior to adjournment of the election meeting.
 - v. All District Officers shall exchange names, addresses, telephone numbers and e-mail addresses. A copy should be forwarded to the FMO office.

ARTICLE XI: ACCOUNTING RECORDS & FISCAL MANAGEMENT

Section 1. Books and Records.

- a) FMO shall keep correct and complete financial records of accounts, including all receipts, disbursements, assets, and liabilities.
- b) Detailed records are defined as invoices, receipts and canceled checks for

payments made by the Association, purchase orders approved by the Association, credit card statements for credit cards issued in the name of the Association, statements for services rendered, and reimbursement requests submitted to the Association.

Section 2. Reporting.

- a) The Treasurer, or their designee, may provide a year-to-date balance sheet, statement of revenues and expenses and check/disbursement register to the Board of Directors on a monthly basis.

Section 3. Annual Audit.

- a) The Board shall require an annual financial audit by a CPA or other qualified audit firm. Such audit shall be a G.A.A.P. (Generally Accepted Accounting Principles) standard financial audit with assurance statement of the financial condition and accuracy of the financial records.
- b) A copy of each audit shall be provided to all members of the Board of Directors within thirty (30) days of its completion.

Section 4. Depository.

- a) The depository of the FMO shall be such bank or banks as shall be designated from time to time by the Board of Directors with guidance of the Board Treasurer, in which the monies of the FMO shall be deposited. Withdrawal of monies from such account(s) shall be by check or credit/debit cards approved by such persons as are authorized by the Board of Directors.

Section 5. Bonding.

- a) The FMO Treasurer, Executive Director and office staff handling FMO funds shall be bonded by a bonding company in an amount determined by the Board of Directors

ARTICLE XII: DISCIPLINE

Section 1. Any member may be disciplined by reprimand, suspension, or expulsion from membership. Grounds for discipline shall be any violation of the Articles of Incorporation, Bylaws, Policy and Procedures or any statement or conduct that are injurious to or which reflect adversely upon the FMO or any of its purposes or services. The filing of frivolous charges, or harassment of a member with charges, shall constitute grounds for discipline which may be imposed by the Board of Directors if referred to it by the FMO President.

Section 2. All charges against a member must be made in writing and signed by the member or members making the charge. The charge must state the exact violation of the Bylaws, Policy and Procedures or Articles of Incorporation, or the exact statement or conduct which is alleged to be injurious to the FMO, including the date on which the offense or offenses are alleged to have taken place. Any charge must be filed with the FMO President within thirty (30) days of the time that the charging member first becomes aware of the alleged offense by certified mail receipt received.

Section 3. Upon receipt of a written charge, the FMO President within thirty (30) days shall refer the written charge to the Board Attorney, who will review the charge in light of FMO bylaws, policies & procedures, and Florida State Law .

Upon conclusion of the investigation, the Board's Attorney shall inform the Board of Directors of any findings and the disciplinary action they recommend for the Board of Directors' approval or disapproval.

Section 4. The Board of Directors shall affect the disciplinary action that is determined by reprimanding, suspending, or expelling the membership.

ARTICLE XIII: AMENDMENTS

Section 1. Articles of Incorporation and Bylaws.

- a) Amendments to the Articles of Incorporation and Bylaws may be submitted by any member to the Executive Director, not less than ninety (90) calendar days prior to the opening date of the next State Assembly.
- b) The Executive Director will forward the proposed amendments to the Bylaws Committee within 7 days of the cutoff date for submission.

Section 2. Amendment Process

- a) All amendments to FMO Bylaws shall require a 2/3 vote of approval by delegates in the meeting room where and when the votes are being taken at the State Assembly, provided that any proposed amendment has been noticed with the call of the meeting at least thirty (30) days before the meeting.
- b) Without previous notice, these bylaws may be amended at any Assembly Meetings by unanimous vote.
- c) No re-voting will be made due to delegates not being present at the time of voting.
- d) No proxies or absentee votes shall be allowed.
- e) All amendments adopted at the State Assembly shall be effective immediately, unless another effective date is included in the amendment.

ARTICLE XIV: Parliamentary Authority and/or Interpretation

Section 1. The Board shall have the authority to interpret any question that may arise pertaining to these Bylaws and exercise that interpretation subject to the approval of the next State Assembly.

Section 2. The rules and/or procedures contained in the current edition of Robert's Rules of Order, Newly Revised shall govern FMO in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the FMO may adopt.

ARTICLE XV: INDEMNIFICATION

Section 1. The FMO shall have the authority to indemnify and hold harmless all directors, officers, employees, and agents as provided by the Articles of Incorporation and Florida Law.

ARTICLE XVI: CONTINGENT BENEFICIARIES

- Section 1.** In the event of dissolution of the FMO, its assets shall be disposed of as follows:
- a) All liabilities and legal debts shall be paid, discharged and/or adequate provision made therefore.
 - b) All remaining assets shall be used to benefit manufactured/mobile home owners by donation to any federally registered non-profit (501C3 or 501C4) established for that purpose in accordance with Florida law. If no such entity exists, the assets shall be donated to a registered charity or charities as determined by the Board of Directors.

ARTICLE XVII: FMO COMMUNITY UNIT ORGANIZATIONS

- Section 1.** FMO Charters (known as Community Units) may be issued in recognition of a manufactured/mobile home community having a minimum of twenty-five (25) memberships and either elected officers or an appointed community representative.
- Section 2.** FMO Community Units, are expected to operate under the currently adapted FMO Bylaws and current FMO Policies & Procedures.
- Section 3.** Manufactured/mobile home Community Unit officers shall be President, Executive Vice President, Secretary and Treasurer.
- Section 4.** A manufactured/mobile home community without officers may have a Community Representative.
- Section 5.** To be eligible to hold an elective manufactured/mobile home Community Unit office or be a Community Unit Representative, a person must be a member and be a resident of that community.
- Section 6.** The term of office for officers shall be two (2) years. Community Representatives serve at the pleasure of the District President without regard to term limitations unless they were appointed by their local HOA Board of Directors, in which case they serve at the pleasure of the local HOA Board.
- Section 7.** Elections shall be held biennially in odd- numbered years at the January meeting. No proxy, absentee or substitute votes shall be allowed. At the meeting prior to January, all nominations for officers will be taken and no nominations will be taken at the January meeting. Officers shall assume office immediately upon being elected and installed prior to the adjournment of the meeting.
- Section 8.** The District Secretary shall be notified of the results of the election. The District Secretary will then notify the Section Director of the results, who in turn will notify the FMO office.
- Section 9.** Duties of the Community Unit Officers, or Representatives shall include, but are not limited to:
- a) Promote membership in the FMO.
 - b) Keep FMO members in the community informed of FMO activities, benefits, programs and laws that may affect them.
 - c) Accept FMO dues and remit same to the FMO office in Largo, Florida.

- d) Attend the District Meetings and bring back to their community UNIT the information that they learned that is vital to their UNIT members.

Section 10. The number of meetings per year shall be determined by the Community Unit officers. The date, time and locations of the meetings shall be determined by the officers, and the membership shall be notified at least five (5) days prior to the meeting. A quorum shall be five (5) per-cent of the membership, but not less than three (3) members.

Section 11. Community Units or Representatives may not request or access petty cash from any overlaying FMO structure.

Section 12. Effective January 1, 2022, no new Community Units will be permitted to form under the FMO organization.