

Anniversary Issue 2022

FMO Magazine

The Official Publication of the Federation of Manufactured Home Owners of Florida, Inc.

Celebrating Our

60

YEARS ANNIVERSARY



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COMING NEXT ISSUE

- FMO and FMHA – learn more about the collaboration of these two organizations:
- The Eagle is Watching follow up
- New FMO map
- More Florida Day Trips

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FMO Magazine

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FEDERATION OF MANUFACTURED HOME OWNERS OF FLORIDA, INC.

325 JOHN KNOX ROAD L103

TALLAHASSEE, FL 32303

850-205-5642

WEBSITE: WWW.FMO.ORG

FMO Administrative Staff

Lisette Mariner, CAE and FMO Executive Director
lmарiner@executiveoffice.org | members@fmo.org

Editor: Cynthia Carter-Lee,
Chairperson, FMO Communications Committee
703-598-3437

cynthiacarterleefmo@gmail.com

Assistant Editor: Bob Anderson
bob1957@hotmail.com

Mobile/ Manufactured Home INSURANCE SPECIALIST

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Message from the President...

Ronald Grove, FMO President



Greetings Everyone,

I consider it a privilege, as your President, to present you with my thoughts on the past 60 years of FMO and FMO's strategic plans and challenges for the future.

July is a month of many celebrations, most importantly is July 4th, our Nation's Independence Day. Another is FMO's 60th Anniversary. This is a commendable tenure for any organization, especially one that is comprised of members and volunteers dedicated to preserving our way of life. July is also my one-year anniversary as your President. I am so enthused that so many new folks have stepped up to join me in striving to move this invaluable organization forward. I thank you one and all!

FMO was incorporated as a State of Florida non-profit organization on July 30th, 1962, by nine incorporators from St. Petersburg, to protect their property from unjust taxation and discriminatory legislation, and to do any act necessary or desirable to secure such results. This was precipitated by the St. Petersburg City Council's plan to enact an ordinance mandating that homeowners be required to install "Tie-Downs", a very expensive mandate at the time. Homeowners from 77 communities came together to defeat the proposed ordinance, by initiating legal action. As a result of this action, tie-downs are now required by CODE, on newly installed manufactured homes. Also, with FMO championing legislation relative to "Tie-Downs", creating the "Mobile Home Tie-Down Program for older homes. Funding for this program has always been in jeopardy, requiring annual funding by the Florida Legislation. During the 2022 legislation session, an FMO sponsored bill to extend funding for 10 years, was enacted. Passage will provide an infusion of \$ 7,000,000, thanks to our Senate sponsor Senator Hooper and the hard work of our legislative counsel, Nancy Black Stewart. A profound thank you to them both and to all of our members that responded

to our "Call to Action", to communicate with their legislators in support of this all important legislation.

FMO encountered and overcame numerous trials & tribulations during the Fall of 2021 and the opening months of 2022. Among them were:

- Preparing for the 2021 State Assembly, which was impacted by the departure of our long-term Largo Office staff Diane Claus, Jane Clapp and Beth Pankow. Best wishes to them for their dedicated service of twenty + years and for a pleasurable retirement.
- Difficulty in hiring viable replacements. The BOD eventually hired Anne Anderson as a temp. She performed so well that we transitioned her to permanent but unfortunately, due to our closing the Largo office, her employment was short-lived. We thank Anne for helping us through this transition.
- Chronic issues with our computer systems, membership software & website content. In April 2022, the BOD approved implementing a new system & software package, based upon the recommendations of "Partners". This transition impacts our Membership & Website. This new website should be operational by the time you read this article.
- Retirement of long-time legal counsel Lee J. Colling and the search for a viable, qualified replacement. Thank you, Lee, for your many years of dedicated service.
- Nominations, elections and installations of 2022-2024 FMO Officers. There were quite a few vacant positions due to resignation, death or personnel reasons.
- Amending the FMO By-Laws in their entirety at the State Assembly.
- Amending our Articles of Incorporation to incorporate these new by-laws and changes to our primary place of business.

.....**PRESIDENT Continued on page 4**

PRESIDENT Continued from page 3.....

Due to these issues and more, your BOD had to begin to think “outside of the box”. During this process your BOD was made aware of a professional organization that administers and manages organizations such as ours. “Partners in Association Management”. Partners has been in business for over 20 years and still have their first client. While FMO had numerous issues, thankfully “Partners” agreed to take us on as a client. We entered into a two year representation contract, with Lisette Mariner being assigned as our Executive Director.

Partners has a fully staffed operation in Tallahassee, eliminating the need for FMO to have an office in Largo. The BOD made a prudent decision to close the office in Largo. This move was an immediate cost savings to FMO.

Looking Forward to Our Future:

FMOs’ future is dependent upon membership. Retaining existing members and enrolling new ones is critical to our existence. FMO has members in 736 parks and 220 Park Representatives. A key part of being successful in our mission is to represent as many Florida manufactured/mobile homeowners as possible. One of our key initiatives will be to increase our visibility across the state and increase the number of Park Reps. Park Reps are our life blood to connecting with manufactured home residents. Toward this goal, we will be expanding our coverage to include parks in the Panhandle, consolidating Sections & Districts to afford better coverage and creating additional staffing of these new positions. BOD Officers, Section Directors & District Presidents will be proactive in filling and supporting these positions.

We will ramp up the support of membership in engaging their state representatives. It’s been proven by our success of the Tie-Down bill passage proves that engaging with lawmakers works. Many of our elected officials have never been in a manufactured home community, invite them as guest speakers for your HOA meetings so they can see our lifestyle first-hand. Make them aware of who FMO is, the issues manufactured homeowners are facing and remind them of the profound impact we have at the voting booths.

We will increase our outreach and engagement with members. Utilizing our new website, our in person district meetings and our social media presence; we will be encouraging our members to keep

us abreast of their issues of importance. The BOD will be actively engaged in developing strategies to address the issues.

Our members are “Park” residents. We have chosen this lifestyle. We socialize, but more importantly we exchange thoughts, ideas & suggestions on how to maintain or improve this lifestyle. Our Parks are essentially communities that we consider home. We have club houses and recreational facilities. We have social clubs and organized activities where these thoughts, ideas and suggestions are shared. FMO may only have a portion of the residents of a park as members, but we have the ear of all residents! There are just over 290,000 manufactured/mobile home lots creating 400,000 potential FMO members and votes. Admittedly not all are Florida residents, however, all indications are that this is changing, with many migrating to the income tax free sunshine of Florida. FMO needs their support and votes through membership. There is strength in numbers. FMO is their only voice protecting our lifestyle.

Park Owners also have an association, Florida Manufactured Housing Association (FMHA). They are formidable adversaries, but we look forward to working together with them to resolve major differences. The Florida legislature long ago stated that “your two organizations (FMO and FMHA) need to work together to propose any changes to the current laws. The Legislature will not act as you the referee.” The FMO Select Committee met with FMHA in April 2022 after a three year absence hiatus. We hope to find ways to work with FMHA to resolve any issue our members have with park owners. I assure you that we have parks that are happy with their owners, but at the same time there are parks, under the same owners, who are very unhappy. I see this FMO / FMHA forum as the most efficient way to address these issues and level the field of differences. FMOs’ primary goal is to protect and preserve the lifestyle that our members thought they were investing in.

Unfortunately, there are recent park buyers, mostly REIT’s that are new to the business. These Private Investment Groups are venturing into Florida and ignoring / flaunting the law, namely FS-723 & 61B-29 through 33 and 35. Many are not FMHA members, and it has been stated that FMHA is not happy with these owners. Their tactics harken back to the days of Florida swamp land being sold as resorts.

.....PRESIDENT Continued on page 5

PRESIDENT Continued from page 4.....

FMO in conjunction with FMHA are working together to develop ways to strengthen Florida Statute 723 and the DBPR (Department of Business and Professional Regulation), the Florida state agency entrusted with protecting our lifestyles and enforcing FS 723.

We feel encouraged about the opportunity to move forward to benefit both organizations, without the legislatures having to get involved. We have mutually agreed to continue meeting quarterly to continue with the open dialogue.

In Conclusion

The future of FMO is bright! We must continue

to grow in numbers. The more members, the more voices! The more voices, the more recognition and respect. Encourage your friends and neighbors to join the fight to protect and improve the manufactured/mobile home lifestyle. There are several ways to join: mail application to the Partners office, online at fmo.org, hand deliver an application to a Park Rep or call the Partners office 850-205-5642.

Thank you for the opportunity to serve as your President. You have my word I will do everything within my power to drive FMO to the next level!

Ron, FMO President

**WELCOME GORDON FOSTER
NEW FMO TREASURER**

Gordon has 50 years of financial/administrative management, including 6 years as VP-CFO of 2 Fortune1000 corporations, and 1 start-up.

In addition, Gordon has 7 1/2 years experience as Treasurer of an HOA and 1/2 year as President. Gordon has already had a huge impact on the FMO projects that he's assisted with in conjunction with the Education and CLF committees.

Welcome Gordon and Thank you!

Message from Jerry H. Durham

FMO Board Member 2014 – 2021

FMO - President - 2018 – 2021



I joined FMO in 2012 and my friend, neighbor and mentor, John Bowman, asked me to be District 7 EVP. In December 2013 he nominated me for the Board at the Assembly and I was elected to Director at Large. In 2017 I was elected to President for the first time and again 2019. It was a great pleasure to serve the FMO and work with some terrific people.

Accomplishments during tenure:

- ❖ Initiated the “21st Century FMO” objectives. Changed communication methods to utilize electronic meetings, established remote training and seminars and improved data sharing.
- ❖ Sold Corporate Headquarters, which was four times the space needed. Leased office space to fit our needs and improved financial position going forward with increased operating funds and investments.
- ❖ Changed residency requirements in Bylaws to increase number of candidates available for leadership positions.

- ❖ Legislation – Established objectives to improve HOA operations and education.
- ❖ Established Board Training requirements.
- ❖ Reduced record keeping requirements.
- ❖ Put procedures in place to add fairness to elections.
- ❖ Required Park Owners to increase amenities with certain numbers of lot expansion.
- ❖ Rallied members to join FMHA and Commercial Realtors to keep constitutional amendment with a ceiling on property tax increases. We got the support of 66 Percent of voters and amendment became permanent.

Congratulations on your Diamond Anniversary! Best wishes for a bright future.

Jerry Durham, June 2022

CAPITOL BEAT

Your News from Tallahassee

By FMO Legislative Counsel, Nancy Black Stewart



An Important Program Continues!

During the 2022 Regular Session, the Florida Legislature passed a bill and additional funding to assist thousands of mobile home residents!

The Hurricane Loss Mitigation Program, (HLMP), within Florida's Division of Emergency Management, (DEM), was extended for 10 years to June 30, 2032. HLMP funds are provided to improve wind resistance and strengthen residences and hurricane shelters to mitigate loss due to hurricanes and other wind storm events. The Mobile Home Tie-Down Program, (MHTDP), is an integral part of this mitigation and receives \$ 2.8 million of the \$ 10 million total appropriation each year due to the formula in the statute. The HLMP and the Mobile Home Tie-Down Program were scheduled to expire June 30, 2022!

FMO reached out to **Senator Jack Latvala**, (R-Clearwater), who served in the Florida Senate 1994-2002 and again in 2010-2018. He sponsored the original bill in 1999 and said: "Someone showed me a picture of a mobile home park in Punta Gorda after a storm. The homes that were properly tied down were standing. Those that weren't were destroyed. Side by side. That made a permanent impression on me. I was glad to be able to help."

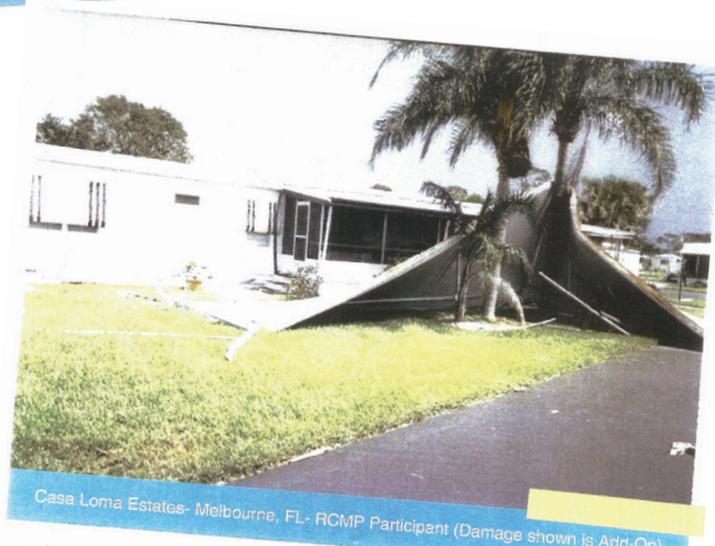
Senator Ed Hooper, (R-Palm Harbor), sponsored Senate Bill 578 this year to extend the Mobile Home Tie-Down Program for 10 years. Senator

Hooper said: "I am pleased the Governor signed the companion (House Bill 837) to my bill into law. As Vice Chair of the Senate Appropriations Subcommittee on Transportation, Tourism & Economic Development, I supported additional funding in the Senate budget dedicated to the Mobile Home Tie-Down Program. The one-time appropriation of \$7 million will go a long way to reduce the number of homes on the wait list. The Governor's approval of this budget item is greatly appreciated!"

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Older home improperly anchored in Buttonwood Mobile Home Park, Punta Gorda



Casa Loma Estates- Melbourne, FL- RCMP Participant (Damage shown is Add-On)

Representative Matt Willhite, (D-Wellington), spoke about his bill: "HB 837 is a crucial policy initiative that funds and extends Florida's Hurricane Loss Mitigation Program. In addition to funding the HLMP for

.....PROGRAM Continued on page 7

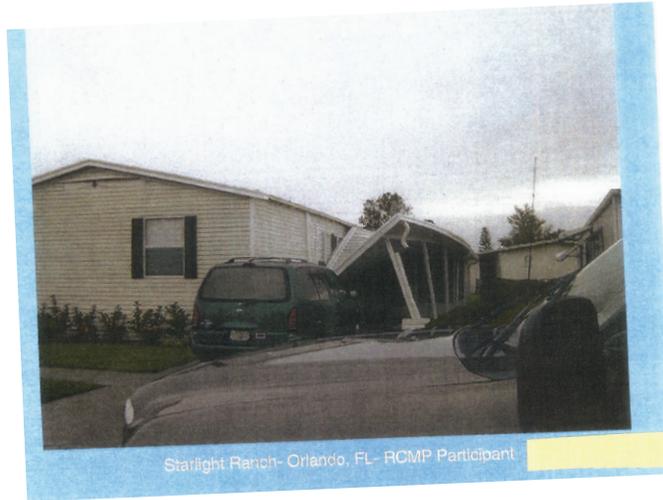
PROGRAM Continued from page 6.....

another ten years, an additional allocation of \$7 million in non-recurring funds was appropriated towards the Mobile Home Tie-Down Program to reduce the approximately 122 communities on the waitlist. With an affordable housing crisis looming over the entire state, I am proud that these funds will help inspect and improve tie-downs for the safety of our residents.”

Over the years the MHTDP has made changes to improve administration. The DEM now requires a clear scope of work, deliverables, financial consequences, and monitoring. Other Program improvements include:

- The Request for Proposal is now open to multiple vendors;
- Vendors must be licensed mobile home installers;
- There is a pre-inspection process and audits of post-inspection reports;
 - Removal of a minimum of percentage of participating homes as a factor to serve a community;
 - Serves individual mobile home owners and home in communities without an established HOA;

-- These photos were part of an assessment by staff in the Bureau of Mobile Home and RV Construction within the Department of Highway Safety and Motor Vehicles in 2005 following the Charley, Francis, Ivan, and Jeanne Hurricanes of 2004.



- There are age, skirting, soil, and height requirements and restrictions.

Obviously, it is always best to have as many homes as possible participate for the benefit of the entire community. Beginning this year, the MHTDP will be administered by Gulf Coast State College.

House Appropriations Chair, Representative Jay Trumbull, (R-Panama City), said: “I am confident the transition of the administration for the Mobile Home Tie-Down Program to Gulf Coast State College will go

very smoothly. Administrators and Staff at Gulf Coast State College are very aware of the need to do everything possible to strengthen our homes in advance of storm events. I believe they will move the Program forward and continue its success.”

As Gulf Coast State College prepares to assume responsibility, both DEM and Tallahassee Community College have pledged complete cooperation. FMO will continue to interact with Gulf Coast to provide information and as a resource. We are hopeful communities on the wait list will remain in line. Please watch for additional information through updates as this moves forward!

BEWARE - SENIOR SCAM ALERT-- HANG UP IMMEDIATELY!

Social Security Administration Impostor Scam

Social Security Administration imposters contact prospective victims by telephone and falsely claim that the victim’s Social Security number has been suspended because of suspicious activity, or because it has been involved in a crime. They ask to confirm the victim’s Social Security number, or they may say they need to withdraw money from the victim’s bank and to store it on gift cards or in other unusual ways for “safekeeping.” Victims may be told their accounts will be seized or frozen if they fail to act quickly.

Perpetrators often use robocalls to reach victims. Victims may be told to “press 1” to speak to a government “support representative” for help reactivating their Social Security number. They also use

caller ID spoofing to make it look like the Social Security Administration is calling. With such trickery, perpetrators convince victims to give up their Social Security numbers and other personal information. Social Security Administration imposters operating from abroad often use U.S.-based money mules to receive victim payments and transmit proceeds to perpetrators.



Source: Social Security Administration Office of the Inspector General

Exciting 2022 Election Cycle!

Greetings all!

The Florida Constitution requires the Legislature to reapportion the state every ten years based on the federal census data. The results of the census created an additional seat for the Congressional House of Representatives so Florida will now elect 28 House members to Congress.

In Florida, all 40 members of the Senate must be elected in 2022, although 20 seats will have a two year term, and 20 Senate candidates will be elected to a four year term. In the list below you will see eight Senate and House members who are Senator-Elect as they have been elected without opposition.

In the House, all 120 candidates will run for a two-year term, as always. Please see the list below as these twenty-eight Representatives have been re-elected to the House without opposition.

The 2022 election cycle creates an opportunity for FMO members to have their voices heard! Candidates want to hear what's on your mind...what are your

issues of concern? The manufactured/mobile home park and community lifestyle you have chosen is not well understood by some lawmakers. You have an opportunity to educate legislators and candidates. When the House and Senate are in Session, legislators concentrate on matters in front of them. When I am meeting with lawmakers, I must be able to convey my message in about 8 minutes. It helps your efforts immeasurably when a legislator is already familiar with you, your issues, and concerns!

Now is the time to build relationships and to show that the hundreds of thousands of you are an active and important constituency. Invite those elected below to your community for a coffee or meet and greet or call their legislative office to ask for a meeting, grab several friends or members of your HOA, and attend this appointment! These lawmakers will be back in Tallahassee for next Session! Let them get to know you!

The FMO would like to congratulate these candidates who have been elected without opposition!



2022 Senators Elected without Opposition

Senate District 6	Senator Jennifer Bradley	Orange Park
Senate District 19	Senator Debbie Mayfield	Melbourne
Senate District 28	Senator Kathleen Passidomo	Naples
Senate District 29	Representative Erin Grall	Vero Beach
Senate District 31	Senator Gayle Harrell	Stuart
Senate District 37	Senator Jason W. B. Pizzo	Miami
Senate District 39	Representative Bryan Avila	Hialeah
Senate District 40	Senator Ana Maria Rodriguez	Doral

2022 House of Representatives Elected without Opposition

House District 4	Representative Pat Maney	Ft. Walton Beach
House District 7	Representative Jason Shoaf	Blountstown
House District 10	Representative Chuck Brannan	Lake City
House District 12	Representative Wyman Duggan	Jacksonville
House District 18	Representative Cyndi Stevenson	St. Augustine
House District 24	Representative Joe Harding	Ocala
House District 27	Representative Stan McClain	Ocala
House District 31	Representative Tyler Sirois	Merritt Island
House District 32	Representative Thad Altman	Indian Harbor Beach
House District 48	Representative Sam Killebrew	Winter Haven
House District 49	Representative Melony Bell	Ft. Meade
House District 63	Representative Dianne Hart	Tampa
House District 71	Representative Will Robinson	Bradenton

.....ELECTION Continued on page 9

2022 House of Representatives Elected without Opposition Continued

House District 74	Representative Jim Buchanan	North Port
House District 75	Representative Michael Grant	Port Charlotte
House District 76	Representative Spencer Roach N.	Ft. Myers
House District 79	Representative Mike Giallombardo	Cape Coral
House District 81	Representative Bob Rommel	Naples
House District 82	Representative Lauren Melo	Naples
House District 83	Representative Kaylee Tuck	Sebring
House District 95	Representative Christine Hunschofsky	Coconut Creek
House District 102	Representative Michael Gottlieb	Sunrise
House District 104	Representative Felicia Robinson	Miami Gardens
House District 110	Representative Tom Fabricio	Hialeah
House District 111	Representative David Borrero	Miami
House District 112	Representative Alex Rizo	Hialeah
House District 116	Representative Daniel Perez	Miami
House District 117	Representative Kevin Chambliss	Miami

The Primary Election is scheduled for August 23 and the General Election November 8. Due to reapportionment, your legislative district may be different. Ten Senators are termed out or have chosen not to seek re-election. In the House 25 sitting Representatives are termed out or have chosen not to seek re-election. Your county Supervisor of Elections

will supply your House and Senate district numbers and who is running in those races. Please use this link to access further state election cycle information: <https://dos.elections.myflorida.com/candidates/CanList.asp>

Get ready for the campaign commercials!

Membership Contest Winner

This may have been the longest running contest in history. The contest was seriously delayed due to COVID19. Additional delays were caused by supply chain issues, but eventually contest winner Dick Gebo received his new Pilotcar golf cart delivered on March 23, 2022. Scheduling delivery proved to be an additional challenge as Dick is a very busy man, Dick is President of the Beacon Hill Colony Homeowners Association and the incoming moderator of the Lakeland Interpark Counsel.

Mr. Mete Timur, Co-Founder of Pilotcar EV, personally delivered and presented the keys for the cart to Dick’s wife Sylvia. Imagine the smile on Dick’s face when he returned home to find his new Pilotcar in the driveway. His new Pilotcar came with all the bells and whistles, a four-seat configuration, seat belts, turn signals, horn, upgraded seats, extended roof, on board battery charger and self-watering batteries all wrapped up in a British racing green body. This golf cart beauty is assembled in Florida from European and American components by Pilotcar EV, Inc. in Fort Myers.

Congratulations Dick, the First Prize winner in our marathon two-year 2020 – 2021 membership contest.

Our thanks to Pilotcar for their generous donation and support. Pilotcar 16205 S. Tamiami Trail, Suite #5 Fort Myers, FL 33908 (239) 745-2708.



Congratulations Dick, the First Prize winner in our marathon two-year 2020 – 2021 membership contest.



Mr. Timur personally delivered and presented the keys for the cart to Dick’s wife Sylvia at their home.



LEGAL EASE

By Jeremy Anderson



ANDERSON | GIVENS | FREDERICKS

— Attorneys & Counselors At Law —



Questions and Answers

Q: Does a 723 park does not have a “legal” HOA, do they have any standing to deal with the park owner?

A: If you are referring to whether the homeowners can deal with the park owner if there is no HOA, Section 723.037, FS, is one example of when the owners can deal with the park owner without an HOA.

If the HOA was not properly constituted and/or has not received the approval required under 723.037, FS., the HOA has no authority to deal with the park owner.

Of course, having an HOA puts the owners in the best position to deal with the park owner. ~~~

Q: My park is in process of being sold. Question is: do current prospectus and R&R's remain the same with new owner taking over or does new owner establish a new set of documents? Can new owner come in and increase lot rents?

A: The new owner does not get to have clear slate with whole new prospectus or rules. Those stay the same and may only be updated in the statutory manner. As for the lot rent, the rents can be raised as provided in the prospectus and subject to challenge per 723.067, FS, just like the selling owner.

61B-31.001 Prospectus and Rental Agreement.

(4) The prospectus distributed to a home owner or prospective home owner shall be binding for the length of the tenancy, including any assumptions of that tenancy, and may not be changed except in the following circumstances:

(a) Amendments consented to by each affected home owner and the park owner.

Q: Member has a lease agreement, a new neighbor moved in and put a shed in that overlaps with his space. After speaking with property management he was informed that the new neighbor's lease allowed for this and also that he no longer had a parking space.

A: The first thing is that you should examine your lease to determine the area subject to your lease and as to whether that parking space is subject to your lease OR subject to being taken away such as you assert has occurred.

.....LEGAL Continued on page 11

Introducing FMO Attorney Jeremy Anderson

Jeremy Anderson is the managing partner of Anderson, Givens & Fredericks, P.A., a community association focused law firm providing state-wide representation to mobile homeowners and Chapter 723, FS., homeowner associations. Jeremy's firm has offices in Tallahassee and Sarasota.

Jeremy graduated from Florida State University College of Law in 2006, where he gained expertise in community association law as part of obtaining a Certificate in Land Use Law. Since graduating from law school, Jeremy's ongoing work experience includes serving as general counsel for over 500 Florida community associations and the representation of thousands of individual owners on a wide variety homeowner association, land use, property, and mobile home park disputes, including election disputes, recalls, common amenity use disputes, mediation, the preparation and amendment of articles of incorporation and bylaws, rent negotiations, rules challenges, regulatory compliance and zoning matters.

Jeremy is also a frequent speaker at educational events and for various not-for-profit community and association advocacy groups seeking to advance the protection of owner property rights and the protection of existing communities. He is currently assisting FMO review and revise its educational and informational materials, which are provided to FMO members and which are intended to help preserve mobile home communities subject to Chapter 723, FS.

Attorney Harvey Halprin assists Jeremy in the firm's community association and land use practice areas. Attorneys, Justin Givens and David Fredericks are the litigators for the firm. Justin and David have successfully litigated hundreds of community association and property related cases across Florida.

Jeremy V. Anderson, Esquire

LEGAL Continued from page 10.....

If that area is subject to your lease provides you use to it without interference, interruption or the ability of that same area to be leased to another, the park owner is in breach of your lease.

Once your rights under your lease are established, you or your legal counsel would need to draft a demand to the park owner and the adjacent homeowner asserting your rights and demanding that the offending structure be removed. This demand would include a threat of legal action, including injunctive relief under the lease and Chapter 723, FS, and possibly damages. If such action had to be filed, the prevailing party to such an action would be entitled to recovery of attorneys' fees and costs.

The FMO website contains a listing of qualified Chapter 723, FS attorneys.

Q: Can the President of our HOA the bring in a member from the HOA membership to establish a seventh board member without consulting the HOA board or opening up the position to all HOA members?

A: The Association's Articles of Incorporation and Bylaws should dictate the # of Directors and the proper method for expanding/shrinking the Board.

Q. Can the President of our HOA recruit members of the HOA membership the form a committee for rent negotiations with the park owner bypassing the elected HOA board? What are the limitations of the President? Technically, any person can form a committee to enter into rent negotiations so long as a majority of the owners consent. This applies even if there is an HOA.

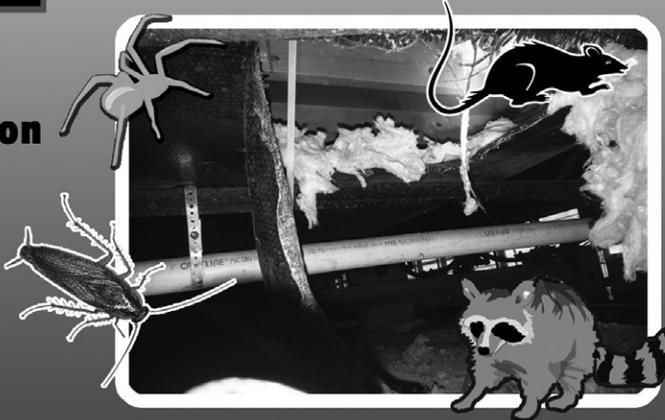
A: In President's positions as President of the HOA and a Director, the President is supposed to act in the best interest of the Association as part of his/her fiduciary duty. There is likely a question as to whether working against the HOA's board is in the best interest of the Association. He or she should attempt to work with the Board as best as he or she can. If the Board does not believe the President is working in the best interest of the Association, he or she can be removed from the position as President. The Board can also actively seek to get signatures to serve as the representatives for rent negotiations.



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Questions and Answers from the 2022 FMO Board Certification Training

Answers provided by FMO Attorney, Jeremy Anderson

This is the first of set of questions/answers, additional questions and answers will be published in future magazines

Q: In Section 723.037, FS., it states, “The homeowners’ association shall have no standing to challenge the increase in lot rental amount, reductions in services or utilities, or change of rules and regulations unless a majority of the affected homeowners agree, in writing, to such representation.” Is the “majority” everyone who owns a house even if they don’t belong to the HOA?

A: A “majority” is calculated based upon the total number of homeowners that will be **affected** by the park owner’s proposed increase in lot rental amount, reduction in services or utilities, or change to rules and regulations, not just those homeowners who are members of the Association. Section 723.037(1), FS., requires the park owner to identify all affected homeowners, which may be by lot number, name, group, or phase.

Q: Which version of Chapter 723, FS., applies to our Association, the year of incorporation of our Association or the current year?

A: In most instances, the current year of Chapter 723, FS., will govern the operation and administration of the Association. However, there are limited instances when a statutory change could impact a substantive property right of a park owner, homeowner, or an Association. In such a limited instance, the change in the statute would not act to change or alter that existing substantive property right.

Q: Does the park owner have the right to challenge the persons of the Negotiating Committee?

A: No. Section 723.037(1) and (4)(a), FS., reserves the right to determine representation on the Negotiating Representation to a majority of the affected homeowners or to the Board of Directors of the Association, if applicable.

Q: Is it legal for our Association or social committee to hold 50/50 raffles at events?

A: Not likely. While many Associations operating under Chapter 723, FS., are organized as Not-For-Profit corporations, they are not IRS 501(c)(3) charitable organizations, which is required by Section 849.0935, FS. Similarly, Associations organized as For-Profit corporations and Social Committees

not organized or operating as a committee of an Association are also not eligible to hold 50/50 raffles at events.

Q: What is D&O insurance?

A: Directors and Officers (D&O) liability insurance is insurance coverage intended to protect individuals from personal losses if they are sued as a result of serving as a director or an officer of a business or other type of organization. It can also cover the legal fees and other costs the organization may incur as a result of such a suit.

Q: Is an individual appointed to fill a vacancy on a Board of Directors required to be “certified” under Section 723.0781, Florida Statutes?

A: Section 723.0781(1), FS., requires both newly elected and appointed Directors to certify by an affidavit in writing to the secretary of the Association that he or she has read the Association’s current Articles of Incorporation, Bylaws, and the Mobile Home Park’s Prospectus, Rental Agreement, Rules, Regulations, and Written Policies; that he or she will work to uphold such documents and policies to the best of his or her ability; and that he or she will faithfully discharge his or her fiduciary responsibility to the Association’s members.

Per Section 723.0781(2), FS., a newly elected or appointed Director may, in lieu of the written certification required in Section 723.0781(1), FS., may submit a certificate of having satisfactorily completed the educational curriculum approved by the division within 1 year before or 90 days after the date of election or appointment.

The actions required in Sections 723.0781(1) and (2), FS., must be completed within 90 days after being elected or appointed.

Q: Can the Bylaws provide that an election is valid with the vote of only 5% of the members of the Association?

A: No. While Section 723.078(2)(b)1., FS., would permit the quorum of a membership meeting to be set at 5%, Section 723.078(2)(b)2.b., FS., specifically requires that at least 20 percent of the eligible votes must cast a ballot in order to have a valid election.

FLORIDA DAY TRIPS

Since Orlando is smack dab in the middle of Florida, there are many places you can go on the four corners of the compass.

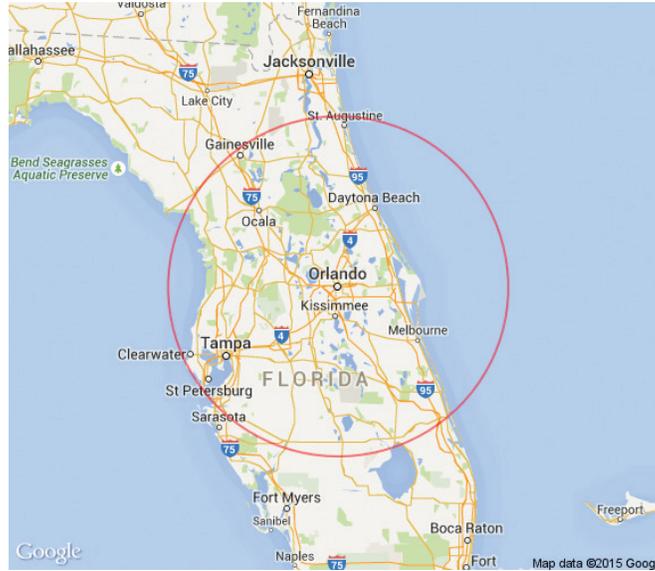
One day and One tank Adventures

Albin Polasek Museum and Sculpture Gardens in **Winter** is the home and studio of a prominent American sculptor. Included are several of his major works and a beautiful sculpture garden.

Alexander Springs Recreational Area in the **Ocala National Forest** offers camping, swimming, canoeing, scuba diving, hiking, birding and wildlife viewing.

Appleton Museum of Art in **Ocala** is a stunning example of classical architecture clad in Italian travertine marble. The museum features gallery space devoted to the Appleton's permanent collections.

Babson Park is also on the scenic drive through the citrus groves of **central Florida** and is the home of Webber College.



Brevard Zoo in **Melbourne, Florida** - There's so much to experience at Brevard Zoo. Our lush, open-air habitats are home to over 900 animals from around the world! Take your Zoo visit to the next level with animal feedings, kayak tours, train rides, aerial adventures and more.

Bok Tower Gardens is a botanical and architectural treasure near **Lake Wales**. The beautiful tower houses a carillon that plays at regular intervals.

Boggy Creek Airboat Adventures in **Kissimmee** has 12 airboats for a wide variety of tours where you will see wildlife including water birds and alligators.

Lakeridge Winery is near **Clermont**. Watch wine being made, enjoy tasting and tours. Also, lots of entertainment and music.



Blue Spring State Park in **Orange City** is a great spot to see manatees sheltering from the cold in the clear waters from November to March.



Marineland Florida south of **St. Augustine** is a dolphin research center that was once Florida's most popular tourist attraction.

There are over 100 day adventures in Florida, this is just a few.

Check the next issue for more exciting

One Day One Tank

Florida treasures

FMO BOARD OF DIRECTORS



Ron Grove
PRESIDENT
352-801-7919
229-869-3439 cell
ron_grove@hotmail.com



Rick Hollenbach
VICE-PRESIDENT
715-441-6330
rick.hollenbach@att.net



Gordon Foster
FMO TREASURER
logofoster@aol.com



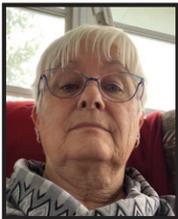
David Carr
Director At Large
863-816-6925
dwcarr@rogers.com



Richard Twort
Director At Large
386-760-7140
richardtwort@yahoo.com



Ron Thoreson
Director At Large
919-306-1700
ron@ronthoreson.com



Bonnie Darling
Section A, Districts 2, 10, 11, 17
727-290-9618
bonbondarling@gmail.com



Fred Sullivan
Section B, Districts 5, 7, 8
941-925-1954
fjsulli@aol.com



Don Stanton
Section C, Districts 14, 16
352-216-3226
churchwithoutwalls@aol.com



Erik Morrisette
Section D, Districts 12, 12A
954-559-6738
emmo011988@gmail.com



Norma Woodall
Section E, Districts 1, 6
732-259-3955
ngwoodall@gmail.com



Darlene Whitkanack
Section F, Districts 3, 13
352-581-9726
darlene155@aol.com



Cynthia Carter-Lee
Section G, Districts 4, 9
703-598-3437
cynthiacarterleefmo@gmail.com

PROFESSIONAL ADVISORS



Nancy Stewart
Legislative Counsel
nancy.stewart@nancyblackstewart.com



Jeremy Anderson
FMO Attorney
janderson@andersongivens.com

DISTRICT PRESIDENT'S INFORMATION

DISTRICT 1

Perry Brokaw, President
419-525-7359
pbrokaw69@aol.com
Polk County

DISTRICT 2

Bob Anderson, President
727-484-4102
bob1957@hotmail.com
Pinellas County

DISTRICT 3

John D. Petrella, President
352-669-6936
jdp44emporium@aol.com
Lake County

DISTRICT 4

Position Open

Indian River, St. Lucie,
Okeechobee and Martin Counties

DISTRICT 5

Joan Bartlett, President
941-739-3989
jembstar@yahoo.com
Manatee County

DISTRICT 6A

Norma Woodall, President
713-259-3955
ngwoodall@gmail.com
Desoto, Hardee and Glades
Counties

DISTRICT 6C

Larry Fisher, President
812-343-2139
lsfisher49@gmail.com
Highland County

DISTRICT 7

John A. Potito, President
239-437-8735
johnpotito@gmail.com
Charlotte, Lee, Collier and
Hendry Counties

DISTRICT 8

Keith Ryder, President
860-986-4467
keithryder1954@gmail.com
Sarasota County

DISTRICT 9

**Laurence Berthiaume,
President**
321-676-4941
doland319@yahoo.com
Brevard County

DISTRICT 10

Ed Duffy, President
813-252-8622
eduffyfmo@gmail.com
Hillsborough County

DISTRICT 13

Jo Anne Fieschel, Ex. VP
631-987-6842
jojoerv@aol.com
Marion County

DISTRICT 14

Jody Brown, President
407-433-2644
jodybrown1216@gmail.com
Volusia and Flagler Counties

DISTRICT 16

Chris Ball, President
954-292-6165
cball103@aol.com
Seminole, Orange and Osceola

DISTRICT 17

Susan Slater, President
954-601-7209
suslater@gmail.com
Citrus, Hernando, Pasco
and Sumter Counties

Policy and Procedures and By-Laws Committees

Greetings from the P&P and By-Laws committees. We are a small group with a big challenge going forward. We started with the Policy and Procedures document, when we determined, the document hasn't been updated by more than a cover page since 2005. The Cover Page shows 2017, but we couldn't determine what was accomplished. We are a team of 6 individuals. Chairperson is FMO VP Rick Hollenbach, Section Director Norma Woodall, District President Bob Anderson, FMO Member Bob Menzel, and FMO Executive Director Lisette Mariner. AD HOC member is our President Ron Grove. Some of these names may look familiar, but not all, which was a planned choice. I wanted representation across all levels of our organization.

So far, P&P has implemented a new plan to keep our expenses in line, with an approval for expense process, and submission of a voucher form. Some members have actually invoked voucher payback by direct deposit. Presently, we're about 1/3 of the way through, and with the next board meeting approval of planned changes, that should put us on above that 1/3 mark. Since the By-Laws were just approved at the last State Assembly in December 2021, we're just starting to get rolling with that activity. Summer always causes additional delays, but we'll be back on track in late August.

Submitted by Rick Hollenbach, Committee Chairman

Education Committee

Over the past two years, the FMO Education Committee has evolved from a group that chiefly presented the Board Certification Training Sessions, to a group that creates and presents webinars and videos as well as updates key educational products to support our members.

In the last FMO Magazine, we anticipated over 500 participants for the Board Certification Training Program (Reference FS-723-0781). When the final numbers were known, we actually trained over 700 individuals. We will begin additional Board Certification Training sessions in November 2022, stressing that even individuals that are considering running for an HOA board should consider taking the webinar since the certificate will remain active for the following 12 months.

This is a very busy time for the FMO Education Committee. Several of the members are hard at work updating the Homeowners' Association Manual. Gordon Foster, FMO Treasurer, is providing expert guidance for the portions of the manual dealing with finances and taxes and we're very grateful for his assistance. We are targeting August for publication which will include updating detail and making any needed changes to the HOA forms and examples. The chapter on Park Owner Forms has been eliminated from the manual since we want to focus on HOA's.

In addition, the committee has consolidated the participants' questions from this year's webinars for sub-

mission to our attorney, for his responses. These will continue to be featured in the "Legal Ease" section of future FMO Magazine editions.

Updates for administrative contact information have been made to the Park Representative Training Manual and, once confirmed by Partners, will replace the current 7/12 version on FMO.org. The video, also on the web, has already been updated to explain the change in FMO Administration and should continue to be very helpful until time allows for the Committee to fully replace it.

The Committee is also working on a new version of the Chapter 723 Reference Guide. It will now include a Table of Contents for the Florida Administrative Code Chapters 61B-29 through 33, 35, and 50. Many of our members may not realize that the FAC should be consulted in relationship with numerous sections of Chapter 723, Florida Statutes, and we're hoping this will help. We're planning to have the reference available for review by June. This has been identified as a member benefit and our Recommendation is that it should continue as such, with availability on FMO.org.

The Committee has welcomed Arlene Angello as a new member. She's been on an HOA Board, Membership and Statutory Committees, and recently finished updating the bylaws for her park. Although she was an associate member of FMO in the past, she

.....**EDUCATION Continued on page 17**

COMMITTEE REPORTS CONTINUED

EDUCATION Continued from page 16

has recently joined as a full member to demonstrate her support for the organization.

We are still looking for individuals interested in researching educational material, and/or creating material for specific topics. It's helpful to have knowledge of MS Office, including PowerPoint,

Publisher and skills in desktop publishing. If interested, contact MaryAnn Czerniak, Committee Chairwoman, at (315) 254-6665 or mac849@aol.com.

Submitted by MaryAnn Czerniak, Committee Chairwoman

Membership Committee

Wow, it seems like it was just yesterday that a few mobile homeowners took on their local town council and started the FMO. The FMO has been here since 1962, and a lot has happened, members come and go but the FMO volunteers continue our mission to advocate for all manufactured mobile homeowners.

Recent elections demonstrate that numbers matter.

Every politician looks at the numbers and how it's going to affect their election. Being an FMO Member is not required, it is sought with the mindset that the more members we have the bigger our voice.

The FMO has a large group of community organizers, district presidents, and section directors who recruit members and keep everyone conversant on local and state issues. The FMO Membership Committee has gone on the road, we hear your concerns at district meetings and working hard to imple-



(R) Tom Shaffer, Dale Stepanick, Kathy Cherney, and HOA President Bill Myers. (L) Fred Sullivan, Ed Duffy, and D5 President Joan Bartlett.

The Gardens' HOA meet with representatives from FMO.

ment your ideas for expanding our membership and becoming more effective in your community.

I want to thank the Section Directors Fred Sullivan and Norma Woodall, District 5 President Joan Bartlett, and Park

Representative Michael Woodall for their outstanding work. Through their efforts, the FMO gained 97 new members, two new

park representatives, and numerous invitations from HOAs to speak to their membership and hold future district meetings in their communities.

We encourage you to schedule meetings in your respective areas to spread the word about FMO and the work we're doing on behalf of manufactured home owners across the state.

Submitted by Ed Duffy, Membership Committee Chairperson

Communications Committee

The Communications Committee has been busy preparing for the 60th Anniversary Edition of the FMO Magazine. We are pleased to welcome new members Larry Berthiaume and Norma Miller, both of whom made significant contributions to the magazine already. The Communications Committee has also begun the process of increase FMO's online presence. The number of "likes" continues to grow as the word spreads. Another important role of the Communications Committee is to ensure membership is kept abreast of what's going on. This is done

by utilizing social media and available mass email tools to reach the entire membership. This committee is searching for volunteers to support it's efforts; if you enjoy writing or researching, would like to collaborate with others on ways to increase communications or have proofreading skills; please consider joining the Communications Committee. We meet via zoom once/month, it's a small investment for such an impactful effort.

Submitted by Cynthia Carter-Lee, Communications Committee Chairperson

Political Advocacy Committee

The HOA in your community is responsible for what is inside the gate while the FMO takes on the issues outside the gate. The Political Advocacy Committee is the personification of that description, since we initially work to bring issues that affect manufactured homeowners before the legislature. This committee debates the merits of bills that might be presented to the legislature according to the following constraints. First, we always seek the board's approval and support for what we want to tackle. We want to find issues that impact most of our members. We must formulate the bill in such a way that the FMHA, the organization of park owners, will see the merit in supporting the bill since the Florida legislature refuses to consider a bill that does not have the support of both organizations. We need friends in both the senate and the house that will support

the bill and get it through committee. We need the support of our members to let their legislators know that this issue is extremely important to our members and hence to the state. We are fortunate to have the advice of Nancy Black Stewart, whose experience with the legislature accurately predicts the success of a bill getting a sponsor, getting through committees, and being passed. She has the expertise to know who to approach, how to present the bill and when to push for support. We want a winning record for the projects we undertake like banning a tax on our rent or the continuation of the tie down program, both successful campaigns. While there are a lot of things we would like to see changed legally, we must realistically find what is doable. We often choose to work on a small piece of the pie initially and then broaden the impact.



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Like many of you, I have served my community on the board of its HOA and have only recently been active on the state FMO board, so I have a lot to learn. Fortunately, there are many experienced members of this committee who are totally committed to achieving the best results that we can. I encourage you to discuss the issues with your neighbors and make suggestions to this committee that are more than just complaints. We need well thought out arguments that will meet the criteria stated above to best serve the members of the FMO as well as all manufactured homeowners in Florida. Bring your ideas to any of the members of this committee.

We are always looking for members who 1) are informed on issues affecting manufactured homeowners 2) can rationally present ideas for possible legislation 3) suggest good compromises that help us achieve our goals and 4) rally all homeowners in their park, district, or the state to support our Watchdogs.

*Submitted by Darlene Whitkanack,
Chairperson*

COMMITTEE REPORTS CONTINUED

Consolidated Legal Fund

It is incredible that FMO is celebrating its 60th Anniversary this year! As we celebrate FMO's Diamond Anniversary and marvel at what has been accomplished, it is even more astonishing to look over the horizon at what is to come.

The Consolidated Legal Fund (CLF) has come a long way as well in the seven years that it has been in existence. CLF was born within a small group of frustrated HOA presidents who were frustrated at being thwarted at every turn by some (not all) park owners who knew they could ignore the Florida Statute 723 and the Florida Administrative Code with the knowledge that most HOA communities were unable to afford litigation. In fact, the few HOAs who dared to try were forced into bankruptcy. Lady Justice may be blind, but sadly litigation is expensive. This group of frustrated HOA Presidents thought, "What if we pooled our money together to create a pool of money to provide the resources for member communities to litigate issues that had allowed some corporate park owners with endlessly deep pockets of money to drive an HOA to bankruptcy?"

That working group developed a framework, presented it to the FMO Board and the CLF was born. Since the beginning in 2015, the fund has grown to include 44 HOA member communities, ranging in size from 71 to 2,211 homes from 20 counties across the State of Florida and the fund is now well into six figures. Most of our CLF subscribers are fully invested in the fund, with a few utilizing the installment plan. It is encouraging to note that we have met the

purpose of the fund. The purpose was never to enable a series of lawsuits, but to ensure the park owners were aware that, from the smallest park to the largest, the funding was available to advance to litigation if it were necessary to enforce compliance with the Florida statutes. CLF has recently approved a grant to support the efforts of an HOA to roll back an administrative charge for collection of utilities. The details we are not able to disclose as the case is still pending mediation.

The future of CLF? We continue to grow as more HOAs join the fund. There is no size requirement, CLF invites HOAs of all sizes. The more participants in the fund the more our credibility grows with our partners in the legislature and with park owners.

Elsewhere in this diamond issue of the FMO magazine, you will see details on the new FMO website, also making its debut this month. Here you will find the Consolidated Legal Fund page containing nearly everything you want to know about the CLF including: a video explaining how the fund works, what it covers (and what it doesn't), how much an HOA must contribute, a PowerPoint downloadable slide set for use at your HOA meeting, a list of vetted FS 723 knowledgeable attorneys and much more. Under this tab you will also find an archive of legalese questions and answers from our attorneys over the years. This section is all free with your paid FMO membership.

Welcome to 2022, our diamond year and a year of new beginnings!

HAVE A LEGAL QUESTION?

You can submit a question for FMO
in one of two ways:

Email: members@fmo.org

or

Mail to: FMO-PIAM
325 John Knox Road L103
Tallahassee, FL 32303



Hello! By way of introduction, my name is Chevonne Christian, and I am the Director of the Florida Condominiums, Timeshares and Mobile Homes Division at the Department of Business and Professional Regulation. I was appointed to this position in late December 2021. Prior to becoming the Division Director, I served as the Division’s Deputy Director since March 2019. Prior to that, I served as the Division’s Chief Legal Counsel in the Office of the General Counsel from 2017 to 2019.

Since working for the Department in 2014, I have worked for the Office of the General Counsel in a number of divisions, from Alcoholic Beverages and Tobacco to Pari-Mutuel Wagering and the Division of Certified Public Accounting. I have learned a great deal from each of my varied roles within the Department. So, I am fortunate to have a vast array of administrative law knowledge and experience from which to draw upon.

When I was asked to submit an article for your quarterly publication, I was not only honored and humbled by such a request, but very much appreciated the opportunity to speak directly to your membership with regard to our Division. So, thank you for extending this opportunity.

I’d also like to take this time to congratulate the Federation of Manufactured Home Owners of Florida members on your 60-year anniversary! What a spectacular milestone!

I’d like to begin by providing a brief overview of the Division’s structure and powers. The Division is primarily split into two bureaus. The initial bureau is called the Bureau of Standards and Registration. This is the bureau that oversees the process which allows a mobile home park owner and their mobile home park to become registered with the state of Florida. The real estate development specialist staff members review the required documentation submitted by a prospective park owner to ensure that the documents comport with the requirements delineated in chapter 723, F.S. This bureau also receives the mobile home park eviction notices and amended prospectuses that are submitted to the Division by the park owner.

Once a mobile home park owner and their mobile home park become officially registered with the Division, they become statutorily recognized as such, and thus, must comply with chapter 723, F.S.

The Bureau of Compliance’s regulatory oversight is triggered upon the mobile home park owner and their mobile home park becoming officially registered. The Bureau of Compliance is complaint-driven, meaning that the Division receives complaints listing allegations, for which the Division may conduct an investigation. If the Division is in receipt of a complaint lodging jurisdictional allegations, which are also substantiated by tangible evidence, a case will be opened and investigated by the Bureau’s mobile home investigator.

Jurisdictional allegations are a key component to a viable complaint. The Division may only regulate park owners where its residents rent their lot, yet own the mobile/modular home which is situated on the rented lot. Pursuant to s. 723.005, F.S., the Division has the power and duty to enforce and ensure compliance with the provisions of this chapter and rules promulgated pursuant hereto relating to the rental, development and sale of mobile home parks. Importantly though, the Division “does not have the power or duty to enforce mobile home park rules and regulations or to enforce the provisions of ss. 723.022, 723.023, and 723.033, F.S.” Below, I’ve explained the framework of these non-jurisdictional statutory sections.

Specifically, section 723.022, F.S., is regarding any obligations that a park owner has to its residents regarding a number of items, ranging from building maintenance, access to common areas and health codes, the maintenance of utility connections and systems, to the park owner’s compliance with the park rules and regulations.

Section 723.023, F.S., is regarding a mobile home owner’s general obligations, relating to matters such as: 1) the rules and regulations over the residents and whether they are complying with them; 2) maintenance of the mobile home lot; 3) exterior

.....**DBPR Continued on page 21**

DBPR Continued from page 20.....

modifications; or even 4) the removal of debris when vacating a lot.

I truly believe that having a basic understanding of the Division’s statutory jurisdiction as it relates to chapter 723, F.S., is an important part of understanding the complaint process. I encourage any members who have an interest, to review the above-mentioned statutory sections to discern the Division’s exact statutory mandates.

Additionally, we are happy to answer any questions which do not require Division staff to interpret statute or issue an opinion. However, if an item is within the Division’s very specific statutory jurisdiction and the allegations can be proven, our investigators will perform as thorough of an investigation as possible, so that when the investigation has concluded, a proper assessment and determination may be made by the Office of the General Counsel (OGC), who will resolve the case.

This is a good segue into explaining the Division’s complaint process. When a complaint is received by the Bureau of Compliance, it is evaluated by a member of the Intake Team. The Intake Team reviews all complaints and opens a case if the allegations in the complaint are jurisdictional. The Intake Team also

determines whether the allegation is substantiated by any submitted evidence. If so, the case is then assigned to the mobile home investigator who will conduct an investigation, and upon completion, will send their investigative findings to the OGC. The OGC will then determine if the mobile home park owner is in violation of chapter 723, F.S. If any of these parameters have not been met, the case may be closed.

Additionally, both the Division’s mobile home real estate development specialists as well as its investigators are located in the Division’s Tallahassee Office. This is advantageous for circumstances such as if there are any matters impacting both bureaus, staff is able to efficiently convene to address and resolve these matters.

If you have any questions relating to any of the areas I’ve mentioned in this article, please don’t hesitate to reach out. Our staff will try to answer your inquiries to the best of our ability.

Thank you again for this incredible opportunity. Again, many felicitations on your organization’s tenure! Wishing you great success in years to come.

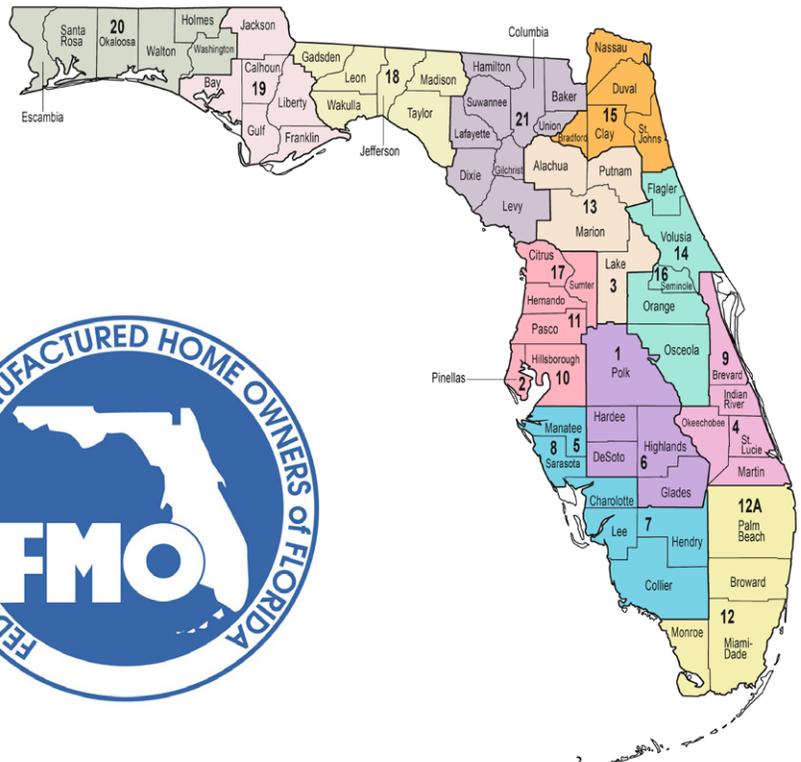
*Respectfully,
Chevonne Christian*

FMO SECTION & DISTRICT MAP

FMO MAP

Color coded by Sections

- Section A: District 2, 10, 11,
- Section B: District 5, 7, 8
- Section C: District 14, 16
- Section D: District 12, 12A
- Section E: District 1, 6
- Section F: District 3, 13
- Section G: District 4, 9
- Section H: District 15
- Section J: District 21
- Section K: District 18
- Section L: District 19
- Section M: District 20



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Rev. 5/22



THE DECLARATION OF HOMESTEAD THE DECLARATION OF DOMICILE INFORMATION

The Declaration of Homestead and The Declaration of Domicile are two very important documents every owner of a manufactured or mobile home needs to know about.

Under Florida's Homestead laws (Florida Statutes 222.05 and Article 10, Section 4 of the Florida Constitution), a properly filed Declaration of Homestead can protect your manufactured home located on leased land from lien or forced sale by a judgment creditor seeking to collect a debt.

222.05 Setting apart leasehold. — Any person owning and occupying any dwelling house, including a mobile home used as a residence, or modular home, on land not his or her own which he or she may lawfully possess, by lease or otherwise, and claiming such house, mobile home, or modular home as his or her homestead, shall be entitled to the exemption of such house, mobile home, or modular home from levy and sale as aforesaid.

Article X, Section 4 Florida Constitution SECTION 4. Homestead; exemptions. — (a) There shall be exempt from forced sale under process of any court, and no judgment, decree or execution shall be a lien thereon, except for the payment of taxes and assessments thereon, obligations contracted for the purchase, improvement or repair thereof, or obligations contracted for house, field or other labor performed on the realty, the following property owned by a natural person: (1) a homestead...

You must get a form DECLARATION OF HOMESTEAD and file it with the Clerk of the Court for the county you live in. Many of these clerks don't know that you are eligible. They think it is just for those who own the land their home is on. Most land-owned homeowners file it to get a reduction in real estate taxes, which it also does grant. But you, as a manufactured homeowner on leased land, want the legal protection against a forced sale that registering your mobile/manufactured home as your homestead offers.

If you do not register your home with the Clerk of the Court under Florida Statute 222.05, it is considered a motor vehicle and does not have the same protections as a house. Manufactured and mobile homes are registered in the Department of Motor Vehicles and not classified as "homes". You must officially

declare it your homestead by filing a Declaration of Homestead with the Clerk of Court.

The FMO has provided a snapshot of the form for the "Declaration of Homestead Manufactured Home", which follows this article. You must have this form notarized by all owners. Do not sign it in advance of going to a Notary. Then after it is notarized take it to the Clerk of Court in your county to register it. Bring the notations from the Florida Statute 202.05 and the Florida Constitution Article 10 Section 4 with you so avoid problems and repeat trips. Then after it is registered with the Clerk of the Court, make copies and keep the original stamped version in a safe place like a safety deposit box.

THE DECLARATION OF DOMICILE

The second important document to file is the Declaration of Domicile. That document declares your manufactured home as your "domicile" in case you ever need Medicaid to pay for a nursing home. According to Medicaid rules, you are allowed to keep one home and one car to receive Medicaid aid. Without this Declaration of Domicile, your home is classified as a vehicle with the Department of Motor Vehicles. Hopefully, you will never need Medicaid, but this simple form is good insurance just in case the future brings problems.

You must declare that this manufactured home is your permanent home and your principal place of abode. You can have a home elsewhere too but the Florida home has to be your principal home. You must be a bona fide resident of Florida.

You will need a form called Declaration of Domicile; a sample can be found in the State Programs section of FMO's website but each county has their own. You can go online to get a form from your county or go in person to the Clerk's office. To register you must go in person with a Florida driver's license for identification to the County Clerk. There is a fee which varies from county to county. Some let you get it notarized elsewhere and the cost to register is less. No personal checks are accepted. If you are married, you should go together for one fee or, if you go separately, it is two fees. You will receive a recorded form from the clerk. Be sure to copy it, and keep the original in a safe place.

...DECLARATION FORM Continued on page 25

**DECLARATION OF HOMESTEAD – MANUFACTURED HOME
(Exempting Property from Forced Sale)
Filed Pursuant to Chapter 222.01, 222.02 & 222.05, Florida Statutes**

I (We), _____, the owner(s) and Title Holder(s) of the Manufactured Home described in the attached Title Certificate (attached hereto and incorporated herein as Exhibit “A”) and further described as follows:

Manufactured by: _____

Title Number: _____

Manufactured in year: _____

Identification Number: _____

declare that the above manufactured home is located on leased property (a true and correct copy of the lease is attached hereto and incorporated herein as Exhibit “B”) in the community or park known as _____, located in _____ county, Florida and that I permanently reside in the above described manufactured home as my residence and homestead within the meaning and definition set forth in Article X, Section IV of the Constitution of Florida, thus exempting the same from levy or forced sale.

Property Address:

Owner:

(signature)

(Print)

The foregoing instrument was acknowledged before me this ____ day of _____, 20__ by _____, who is personally known to me or who has produced _____ (type of identification) as identification and who did take an oath.

STATE OF FLORIDA

COUNTY OF _____

Notary Public

Notary Printed Name

Florida Homeowner's Insurance Crisis

Article by FMO member Christine Mansell

The last full week of May 2022 gave us the “most significant reform to Florida homeowner’s insurance market per Florida Governor DeSantis” as he signed, into law, the most recent reform act:

- +2 Billion dollars into a re-insurance fund to assist policy holders
- +Rewrite rules on coverage denials and attorney’s fees
- +1st step to assist insurers (insurance companies) insolvencies, policy cancellations & rising cost of premiums.

Re-insurers (the international companies that re-insures part of the risk that the private market insurance companies take on) have stated that they will not offer coverage if insurance companies decide to insure older roofs without a graduated claim payment (depreciation for age – the way claims have been paid for at least the last 50 years that I have been dealing with the market). If that occurs, the insurance company will need to abide by their rules and guidelines, so stated in a live zoom meeting with the Florida Insurance Commissioner, representatives from the legislature, Insurance company CEOs, representative from Demotech (a rating company for insurance company’s financial stability), fraud investigator regarding Assignment of Benefits (AOB) being signed by insured and turning all their rights over to fraudulent roofing companies and litigation fees that are 3x higher in Florida than in any other state in the United States. The expected change will not impact the insurance premiums for 12-18 months-if the presented directions are followed.

Don’t accept any repair service of any kind without checking local Building Departments for licensing, the Better Business Bureau, and especially ask anyone else,(remove comma) in your community, if they have used your repair source in the last few years and did they offer the services you requested and were your neighbors satisfied long term. Repair companies will follow guidelines withing a community if they want to continue to do work there.

If you are alone making this decision, find a neighbor to be with you when you get an estimate on needed repairs. Ask your community office manager

if anyone has complained about the company that is soliciting your business. If your roof is old and has reached it’s life expectancy, you will need to do the repairs or replacement at your expense and protect your home. If the roof is bad, the home will be as well: evidence of leaking in the interior, mold and mildew starts to grow within 10 days to 2 weeks. You can NOT wait to report damage to your insurance company, any expected roof damage and contact a trusted local roofer and get an estimate.

You are required to report your damages ASAP and if you are up north, your home is here year round, have a caretaker with a key and current contact information for you. Do not allow any sales representative to use strong arm sales pitching to convince you to use them. If they are reputable, they won’t need to do that. Insurance is designed to cover: DIRECT, SUDDEN AND ACCIDENTAL LOSSES (that is the guideline for insurance agents, adjusters, & insurance companies).

The insurance industry has had 2 years of underwriting losses exceeding 1 billion EACH year. Several companies have gone insolvent (out of business), and are issuing mid-term cancellations, are currently in liquidation or have stopped writing new business since 2021. This has driven the consumers back to Citizen’s Property Insurance Company, the state-run public insurer of “last resort”. Their coverage is limited and have defined options on claim pay out, including total losses.

A grant was renewed in this year’s regular session of the legislature to renew a hardening program for the tie-down equipment, so homes are less vulnerable to hurricane damage, if the home and community meet their criteria for acceptance. The new legislation forbids insurers from denying coverage due to a roof’s age IF the roof is less than 15 years old, but they can have their own criteria on a depreciation scale. Homeowner’s with roofs 15+ years old would be allowed to get an inspection before the insurance company would deny them coverage. If an inspections shows a roof has at least 5 years life remaining, the insurers (companies) can’t refuse to insure the home, based on the roof’s age. But again, the company will, more than likely, require an inspection at your expense.

.....**CRISIS Continued on page 27**

CRISIS Continued from page 26.....

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If a roof is more than 25% damaged but complies with the Florida state’s 2007 building code, it would only have to be repaired instead of replaced under an exemption to the building code that the proposed legislation creates. The legislation also seeks to limit various attorney’s fees in insurance related cases, which insurance companies blame for much of their rate increases. Supporters of this new package have noted that Florida accounts for 9% of ALL insurance claims filed nationally, BUT nearly 80% of all the property insurance lawsuits.

NOTE: This information has been provided through the Florida Department of Insurance/representatives from insurance companies/legislative Representatives, fraud investigations and Demotech-an insurance company rating program representative.

About the author:

Christine has been an FMO members since 1985 and has lived in a manufactured home since the 60s. Christine has gone through Hurricane Donna that seriously damaged the central Florida area and has experienced many since then. Christine does a great deal of public speaking to manufactured home communities at their requests, no selling, no soliciting, and considers it a “service to the communities to educate them on the whole ‘insurance process’ for manufactured homes”. She explains especially dealing with claim handling on both sides (the company and the insured), the laws for property insurance in Florida, the issues of dealing with “repairs” after the fact and dealing with claims adjusters and the insurance companies: what they expect of the insured and what is actually the insured obligation to seeing the claim through. That is her way of “paying back the community” that has supported her for the last 50 years. Our agency specializes in manufactured housing since 1959.

Christine Mansell
Jack’s Insurance Agency, Inc.
4710 New Tampa Hwy.
Lakeland, Florida 33815-3256
Phone: 863-688-9271

Congrats from Heron Cay HOA

The Heron Cay Homeowners Association, Inc., (Vero Beach) is pleased to congratulate FMO as it celebrates its 60th anniversary of service to homeowners in manufactured home communities. The efforts of FMO over the years have constantly attempted to assure that the rights and interests of these many individuals are protected. Of particular note is its attention to the impact of the provisions of the Florida Mobile Home Act - Florida Statute Chapter 723 - through interaction with the legislature and the State DBPR. I have found that FMO staff, lobbyist, legal counsel, resources, and voluntary leadership are always ready to assist communities in dealing with issues

and concerns. May we look forward to further successes in their efforts on behalf of homeowners in manufactured home communities.

*Submitted by -
Gwendolyn G. Ripp
FMO Park Representative - Heron Cay
Lifetime FMO Member*



Heron Cay Homeowner's Association

A New Era

By: Lisette Mariner, CAE

As we celebrate our diamond jubilee I am proud to represent the FMO as the new Executive Director. I along with your board and committee volunteers will help usher in a new era. I have over 20 years of association management experience in statewide advocacy groups, and am backed by an award winning organization that will help guide and lead the FMO forward.

In December the FMO chose to move forward with Partners in Association Management. Partners is an 8 time winner of best place to work which translates to a team that has longevity and pride in what we do. With the backing of over 20 associations that trust the Partners team to help drive success I am excited to be part of the new era for the FMO.

Partners in Association Management is an accredited professional services firm that specializes in delivering strategic and operational management for state, regional and national not for profit associations and other organizations. Founded in 1998, Partners has the knowledge, resources and technology to help not for profit orga-

nizations succeed. The company serves as the operational headquarters for over twenty organizations. It provides client organizations the opportunity to contract all operational and strategic functions to a company rather than owning or leasing their own building, and direct-

ly employing staff. All functions including but not limited to board management; meetings and events; publications; regulatory affairs; marketing/branding and financial management are provided by Partners.

Our firm, as a strategy, has purposely maintained slow and steady growth over the course of its history, by finding strategic association partners and team members that are a good match for our corporate culture for ensuring a long term relationship. As a

result, Partners has almost zero client turnover and has a relatively low staff turnover rate. These two trademarks are especially important, as moving an organization from one firm to another on a frequent basis or starting over with new staff teams

frequently can result in major disruption. Every day, our clients benefit from a corporate culture of creativity and innovation.



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.....NEW ERA Continued on page 29

NEW ERA Continued from page 28.....

We use that energy to design custom management programs, provide strategic counsel and produce high-quality member communications. Even with the ongoing pandemic, we continue to maintain that same commitment to our team members and our clients.

The FMO has a great backbone with an active volunteer base. Committees are the boots on the ground. Many of the issues you face are discussed and result in actions taken through the efforts of committees. As we move forward, your participation in a committee will make a difference. If nothing else, COVID helped everyone discover the advantages of technology. Virtual meetings have allowed our committees to meet and keep the FMO in touch with developments around the state. I challenge you to get involved. Join one of our many committees to help. Here are a few committees that can use your involvement: communications, membership and political advocacy. You can also volunteer as a park representative. Let me know your interest. Email me at members@fmo.org and let's start the conversation.

There is so much to look forward to. The FMO just recently reorganized the state and new districts were formed. An effort has been placed on recruitment around the state, with emphasis on the areas where the FMO is not widely recognized. Again your involvement is key to helping keep the protections in place we have fought so hard to maintain.

One more item of note, we recently launched a new website. If you have not already, as a member you will receive communications with your login information so you can have access to the valuable resources we have available. Keep your information up to date. Don't



*Lisette Mariner, FMO Executive Director
and Julie Rooney, Program Manager*

forget when you let the post office know you moved or need to forward mail, let us know too. Email communications are vital, especially as we enter into the legislative season. Keep us informed of your email changes and add members@fmo.org to your contact list to help prevent messages going to spam. Your FMO park representative is also a valuable resource. Touch base with them too.

I look forward to serving this great organization and helping guide you into the future. If you have any feedback please contact me at members@fmo.org or call the office at 850-205-5642.

Invitation to FMO Members

FMO members are welcome and encouraged to send suggestions for articles as well as feedback on published articles.

Submit to:

cynthiacarterleefmo@gmail.com
or bob1957@hotmail.com



A LOOK BACK FROM JOHN SALVUCCI – FMO PAST PRESIDENT

*John P. & Eleanor M. Salvucci
783 Forest Lane, Kissimmee, Florida, 34746
407-390-1147 Home or 407-460-2520 Mobile
e-mail jps13831@gmail.com*

JPS FMO President Dec. 2013 through Sept 2016

Much took place during this time. When I took over in December of 2013, the entire FMO Board with the exception of two members either did not run for re-election or resigned. This left a great void in our organization. The Executive Director was removed from her position due to improper operations in the office. The computers had been locked down and pass-words were not passed on to the new FMO Board. We had to reestablish a new computer system from scratch, which was done at no expense to the FMO. With the new computer system came the new FMO website. The new systems permitted joining on line, paying your membership, filling out your parks survey, which was very helpful in comparison of parks. Also you had the ability to purchase items. It gave the membership data on FMO District Meetings, legal information (10 years in the archives) and the ability to fill out forms on line. The accounting firm informed us that due to excessive spending by the previous Board, the FMO would be bankrupt come March of 2014. The Board took some dras-

tic measures to keep us solvent and in operation. Members of the Board took on doing repairs to the building as well as taking on office duties.

We visited many parks to maintain membership. Directors traveled across the state visiting parks renewing membership and gaining new members. This was done without any reimbursement for travel. We wrote legislation in co-operation with the FMHA to strengthen FS-723, and established an HOA Officers certification program. We printed documents in English, French and Spanish to accommodate sectors of our membership. We worked with HOA's to assist them in operating their HOA's in accordance with FS-723 and FS-617. This was done when the HOA or its membership asked for assistance and direction from the FMO. This co-operation aided in increasing membership in those parks and across the state. By 2015 membership and revenues were up and we were operating in the black. We were now able to assist the FMO Board and officers in paying their expense accounts. We were also able to raise the salaries of the Office staff and increase the retainer fee for our attorney.

I resigned my position as President of the FMO on 1 September 2016 due to my wife's health issues. My Vice President Larry North then took over the reins of this great organization. He held this position until December 2017 when Jerry Durham took over the duties of President of the FMO. *jps*

FMO FIVE ZERO CLUB

FMO park representatives are responsible for growing FMO membership in their communities.
Congratulations to these representatives whose communities have reached over 50% membership.

Park Name	Park Representative/s	District	Percentage
Cypress Creek Village	Roy Zold	1	73%
The Arbors	David Hermann	8	58%
Swiss Village	Steve George	1	58%
Pine Lakes	Ron Thoreson	7	57%
Kissimmee River Fishing Resort	Teri Richard	4	54%
Walden Woods South	John Williams / David Lamont	17	54%
Cypress Gardens	Judy Scott	1	51%
Westside Ridge	Carolyn Schulz / Janice Montague	1	51%

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