Where was this photo taken?
Send your answer to admin@fmo.org.
First correct answer receives a FREE HOA Manual!
In this issue I would like to address three situations:
1. Membership
2. Legislation
3. Discount/Warranty Program

Membership – This is not a Board problem, it is a problem for each and every member of the FMO. At this time of the year many of you will be receiving your renewal letters. We ask that each of you renew your membership and that you ask your neighbors to either renew or to join the FMO, and also have a membership applications available. If each of us could do this very simple act, we could double FMO membership in the next couple of months. This would assist us in our legislative endeavors, put money in our treasury, to not only pay bills, but also to “salt” away funds that we might need in the future to fight legal battles. I’m asking the office staff to release all minutes, as soon as they are Board approved. I have also asked for a monthly financial report so that we all will know where we stand and what we can afford as we regrow the FMO. All members of the Board have agreed not to submit monthly expense reports until we have once again strengthened our financial standing. We are only as strong as our membership. There is much to do, and we need your support and membership to make it happen. Let us continue to enjoy our Life Style.

Legislation - As I write this article, our Bill, HB-29 & SB-114 has not gone before any committee. Ed Green has been waging a tireless battle to make this happen and with the Legislative Session starting on the 4th of March I fully expect to see some movement. We will keep you informed by way of the “Watchdog”, but we need you to continue to contact your local Legislators and also those that are on the Committees, of the serious nature of passing HB-29 & SB-114, as it will affect each of us, as we either sell our unit or as we see rising rents due to “Market Rates” that are artificially inflated due to move-in rates that escalate on the anniversary date. So yes, plead with your local Legislators to support the passage of this Bill. We need to level the playing field for those living in manufactured homes and those that own our parks. We are discussing making a bus trip to the Capitol to impress upon our Legislators our commitment to being heard.

Discount/Warranty Programs - These are two relatively new programs that got off to a somewhat rocky start, but with some “tweaking” they seem to be smoothing out. There is the opportunity to try the program for 48 hours FREE, and those are not consecutive hours, it is at your leisure. By the time you read this article, we should have a button on the FMO website (www.fmo.org) that will take you directly to the Discount/Warranty Program. So give it a try, “It ain’t going to cost you a thing” and there are many features that can save you $$$ on your daily shopping. The warranty program will give you the security of knowing that if one of your appliances (A/C, heater, stove, refrigerator, dishwasher etc.), goes out you will not have a huge bill staring you in the face.

That’s it for now. I hope to see YOU at one of the District meetings. Please remember we are here to be of service to you, our members, so let us know your needs and what the FMO can do for you and also what you can do for the FMO.

John P. Salvucci

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FMO Mission Statement
The purpose of the Federation is to promote the general welfare of its members and protect the rights and interests of manufactured/mobile home owners and to be a consumer advocate for manufactured/mobile home owners.
In an effort to serve you better and save money, we have restructured some duties at the FMO State Office. As all of you know who have weathered the economic downturn, it is incumbent on all of us to "Tighten our Belts" to save money wherever we can. This is in progress with the new Board. We are committed to serving you, our members, to the best of our ability. This means saving money so that it can be spent on the important things - like legislation and legal advice and lobbying.

To this end, we are asking that anyone who would be willing to receive their FMO News in email format to please let us know. The costs for mailing and producing 6 issues of the FMO News has now reached $60,000. We know many of you do not have computers and we are not abandoning you - we will still have print copies. We will also still have printed materials, but we are working toward making them available in email format also. Many of you will also receive renewal notices via email.

Our Office Staff has also been restructured - we now have only three persons working in the FMO office, with occasional part-time help for busy times. We have put new systems into place to speed things up, from response time to membership card receipt. You will be seeing changes - but we hope they are all GOOD changes - ones that will position us to be leaders again. Our office staff of Jane Clapp, Beth Pankow and Joyce Stanton are ready to help you when you call, mail or email.

You may also be surprised on occasion to hear different voices - some of the Board members are frequenting the office and helping out in general.

With the addition of our New FMO Legal Counsel Lee Jay Colling, we are positioned to re-build this FMO to the powerhouse it once was and WILL BE AGAIN! We are working hard, FOR YOU. Keep in touch and let us know what we can do for YOU!

Wendy Copeland, Section One Director
FMO News Editor
FMO State Treasurer

DON'T FORGET
FMO now happily accepts major credit cards.

FMO Membership Fees
Cross Country Motor Club
Resource Materials
Rent Surveys
See the order forms in this magazine or contact the FMO office for more details

WANTED!
Like to help others? Like to help keep people informed? Why not spend a few hours each month volunteering for the FMO? If your community already has a Park Representative, consider becoming an assistant. Additionally, larger communities need many reps to meet the needs of their members.

March/April 2014
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<tr>
<td>Wendy Copeland - Director</td>
<td>Larry North - Director</td>
<td>Fred Berry - Director</td>
<td>DISTRICT 12 - Broward, Dade, Monroe</td>
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<tr>
<td>(765) 404-8479</td>
<td>(941) 721-3647</td>
<td>(407) 415-7836</td>
<td>DISTRICT 12A - Martin, Palm Beach</td>
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<td>Pete Lozier - President</td>
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<td>John Hoyt - President</td>
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<td>(727) 940-2135</td>
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<td>John Bowman - President</td>
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<td>Barry Hirschfield - Vice President</td>
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<td>708) 214-8142</td>
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<td>David Carr - President</td>
<td>John Petrella - President</td>
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<td>Ann La Fountain - President</td>
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<td>Blanche Chafe - Vice President</td>
<td>Robert Bull - President</td>
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<td>Sue Leahy - President</td>
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Attention!

Parlez-vous français?
Nous avons maintenant l'information et de l'adhésion des applications en français.
Communiques avec le bureau au FMO pour plus de détails.
Email: beth@fmo.org

¡Atención!

¿Habla usted español?
Ahora tenemos la información y las aplicaciones de membresía en español.
Póngase en contacto con la oficina de FMO para más detalles.
Email: beth@fmo.org
Off and Running...literally!

The 2014 Regular Session begins on March 4th and the Legislature will conclude its business on May 2. By March 4th there will have been nine weeks of committee meetings to prepare legislation that will be considered in the early days of Session.

The FMO has been especially busy. To date, there are four Senate Bills and four House Bills that we will be working on for you. I do appreciate all your efforts leading up to Session...I know you’ve been working because when I go into offices to discuss our issues, Legislators and their Aides will frequently tell me...“oh yes, I need to know more because I’ve heard from so many people about this”...So, Thank You, and Good Job!

Please take the opportunity to extend invitations to your Senator and Representative...to attend a meeting. That is the perfect time to educate them about our worries and problems...by the time they get to Tallahassee they have 45 things going on at once and they need the quick, bottom line from me. As you know, some of our issues are more complicated than that. Please invite them even during Session...sometimes an Aide may be available and they are very important to the process.

Senate Bill 114 by Senator Charlie Dean, (R-Inverness/Ocala) and House Bill 29 by Representative Ray Pilon, (R-Sarasota), co-sponsored by Representative Katie Edwards, (D-Sunrise), Representative Sharon Pritchett, (D- Miramar), and Representative Charles Van Zant, (R-Palatka), are the bills to address increases in the lot rental agreement for your buyer when you sell your home. A reasonable increase of CPI on your buyer’s lot rental agreement will hopefully assist in your home sale. Ed Green continues to be the lead on these bills as he continues to negotiate on your behalf.

Senate Bill 842 by Senator Jack Latvala, (R-Clearwater), and House Bill 389 by Representative Neil Combee, (R-Auburndale), are bills that will give some reduction in the amount of property taxes passed on by the park owner to a mobile homeowner who qualifies and who lives on a lot that meets the requirements for the reduction.

Senate Bill 1064 by Senator Jack Latvala, (R-Clearwater), and House Bill 897 by Representative Ed Hooper, (R-Clearwater), are bills that address multiple issues that have been brought forward by FMO members.

These bills will do the following:

Define amenity; Require notice in each prospectus that the park may have a change in use; Add amenity as reason to increase or decrease lot rents; Increase from 45 days to 90 days the timeframe for the HOA to make an offer to purchase the park before a change in use or solicited offer; Require park owner applying for change of use to include with application information about monetarily comparable locations for relocations; Eliminate language permitting mobile home park HOA board membership for persons living in the park in concrete block structures.

Another issue I will work on your behalf concerns the roll-back of tag and registration fees for your homes and automobiles. Governor Scott’s proposal has been filed in the Senate by Senator Joe Negron, (R-Palm City), Senate Bill 156. I will work hard to make sure your decal and registration fees are included in any cost savings.

Each of these eight bills is rooted in problems or concerns that you have raised. Your voices have been heard.
THE FMO HOA HONOR ROLL
Honoring HOA Boards of Directors having 100% FMO Membership

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<tr>
<th>Park Name</th>
<th>City, State</th>
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<tr>
<td>RANCHERO VILLAGE</td>
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<td>CITY MHP</td>
<td>Fort Meade, FL</td>
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<td>LAKELAND JUNCTION</td>
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<td>WINTER HAVEN OAKS</td>
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<td>TARA WOODS</td>
<td>N. Fort Myers, FL</td>
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<td>CEDAR COVE MHP</td>
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<td>RIVERBREEZE ESTATES</td>
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<td>ROYAL PALM</td>
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<td>SHADY LANE VILLAGE</td>
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<td>GOLDEN PONDS</td>
<td>Fort Pierce, FL</td>
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FMO would like to recognize YOUR homeowners association. Let us know once you attain 100% FMO membership on your HOA Board of Directors. Simply submit your Park Name and City, and Board member names and memberships numbers to:

admin@fmo.org or mail to the FMO State Office.

FMO OFFICE HOURS
8:00 AM - 4:30 PM
Monday through Friday
727-530-7539
Email: admin@fmo.org

FMO WORKING FOR YOU
WORKING WITH YOU
Working together to build a strong FMO organization.
Lee Jay Colling was born and educated in Michigan; received his undergraduate degree from Michigan State University, and received his law degree from the University of Michigan Law School. He has been a business and real estate trial attorney in Orlando for 50 years. Mr. Colling is a top rated “A-V” attorney, and is included in the nationally-recognized Martindale-Hubbell “Bar Registry of Preeminent Lawyers.” Since 1987 he has restricted his practice to the representation of Chapter 723 mobile home owner associations and resident-owned mobile home community associations, and today his law firm represents over 86 associations in Florida. Mr. Colling is the Founder and President of Lee Jay Colling Conversion Services, Inc., and also co-founder and Chairman of Residential Communities Management, Inc., a firm that manages resident-owned mobile home community associations, and he currently holds a Florida state license as a Community Association Manager.

Mr. Colling is a former president of the Orange County Bar Association; Chairman of the Florida Council of Bar Association Presidents; a past member of the Ninth Judicial Circuit Grievance Committee; and served for seven years as an elected member of the Florida Bar Board of Governors. He served for three years as Chairman of the Mobile Home Law Committee of the Florida Bar and is a member of the Executive Council of the Real Property, Probate and Trust Law section of the Florida Bar. Mr. Colling served for six years as legislative and and appellate attorney for the Federation of Manufactured Home Owners of Florida, Inc. (FMO), and was appointed by the DBPR as a member of the Negotiated Rulemaking Committee. Mr. Colling is a co-founding director, general counsel and legislative attorney for Florida Resident Owned Communities, Inc., (FLAROC) a statewide organization of resident-owned manufactured home communities. Also, he served for years on the Barry University Law School Board of Advisors. Mr. Colling is a frequent lecturer and author of articles relating to Chapter 723, mobile homeowner associations and Cooperative/Subdivision problems, solutions and strategies.

Mr. Colling is a recognized leader in the area of Park Purchases by residents and his conversion company has successfully completed over 30 conversions to resident-owned co-op’s.

CONCENTRATION: MOBILE HOMEOWNER ASSOCIATIONS, MEDIATION/LITIGATION, COOPERATIVE AND SUBDIVISION ISSUES, RESIDENT PARK PURCHASES, MEMBER GOLF COURSE PURCHASES, COOPERATIVE MORTGAGE LOANS, REFINANCING, AND COOPERATIVE REAL ESTATE CLOSINGS.

Lee Jay Colling & Associates, P.A.
529 Versailles Drive, Suite 103
Maitland, FL 32751
(407) 834-7500
leejaycolling@email.com
DIFFERENT RENT INCREASES?

Q: Our community has always been advertised/listed as a "Guaranteed Lifetime Rent Community". A separate certificate was given to new home owners listing all details of the base rent and increases and further definitions were listed in the prospectus. The actual Lot Lease Agreement also lists details about the base rent and the $5.00 or CPI increase details. Advertising, rental agreement AND the prospectus states that the base lot increase amount will be "not more than the greater of the U.S. Government Cost of Living Index (CPI) or $5.00, as long as you are the original homeowner.

When a house was sold, the lot rent was increased using some type of calculation. After the initial year, the same increase formula came into effect. Our prospectus, Article VIII, covers the base rent and details. Section C covers the increase details of the $5.00 or CPI.

Section D covers the fact that "different rental rates can be charged for different lots". This section applies to the different base rates for interior, corner, lakefront or golf course lots; all that have different base lot rent rates. Section E covers the resale lot rent details and also states that "after the next January 1st (after the sale date) the base rents will be increased as set forth in Section VIII.

This brings me to the actual question. Rent increase letters were sent out for 2014. I have the lists for all the lots (for all prior years) showing that all lots were treated equally with the $5.00 or CPI increases.

Something has changed for this year and I can't seem to find out why. Approximately 206 of the 800 received small increases as low as .02 cents or no increase even though the majority received the $5.00 increase. I was told that these lots were all re-sales, some taking place years ago. The prospectus covers increases and all lots were treated equally in the past.

A: As I understand your question, all homeowners have, in the past, always received rent increases of CPI or $5.00, whichever was greater, whereas this year, increases for lots were any where from $.02 to $5.00 and you cannot determine why.

Your HOA certainly has the right to inquire of the Park Owner the reasons for the amounts of the increases imposed on each lot in the Park. From your question, it appears that the Board has received from the Park Owner the information as to which lots received which increases. Section 723.037(4)(a), Florida Statutes, provides that upon receiving a 90-day notice of an increase in lot rental amount, the Homeowner's Association may appoint a five member committee, which committee and the Park Owner shall meet to discuss "the reasons for the increase in lot rental amount. Further, Section 723.037(4)(b), Florida Statutes, states that the Park Owner "shall in good faith disclose and explain all material factors resulting in the decision to increase the lot rental amount - ...".

Although the meeting with the Park Owner is required to be held within 30 days after receipt by the homeowners of the notice of increase, the meeting date may be extended by mutual agreement of the committee and the Park Owner (see Section 723.037(4)(d), F.S.). You may have been told that the different increases were caused by resales, but the HOA is entitled to know why and how each increase occurred.

You state that your leases are Guaranteed Lifetime leases. Section 723.059(5), Florida Statutes, states that Lifetime leases are non-assumable unless otherwise provided in the lot rental agreement. I suspect, but do not know, that each resale purchaser had to sign a new lease, which has contributed to your situation.

In summary, the Homeowner’s Association, through its statutory committee, has the right to know how the increases were calculated. Lastly, I would suggest that you review Section 723.059, Florida Statutes, which deals with the rights of resale purchasers.
WHAT CONSTITUTES BASE RENT?

Q: My question of what constitutes a "Base Rent" stems from the following information: When I bought my home in this park, they had multiple rents based on the view from the rear of the home. For example: $400-$500-$600. $400 = the neighbors back yards, $500 = view of water or woods, and $600 = the view of both water/woods. I opted for the water only view. When rent increase time came, I was charged the 4% like everyone else, except it was on the full $500. I have been trying to get our HOA to fight this as I look at it as unfair. Why is my "option" being used for the rent increase since I am paying for that option already. It also means I am paying more for the same amenities as the lower renter gets. (Same goes for the $600 renter).

Our prospectus says the 4% will be applied to the "Base Rent" but then they tell me my rent is my current "Base Rent". Why do I feel I am being taken for a ride?

A: Upon purchasing a home in a mobile home park, each homeowner is governed by the disclosures in the park’s prospectus(es). Section 723.011(4), Florida Statutes, states "...the prospectus or offering circular offered by the mobile home park owner shall contain the same terms and conditions as the rental agreements offered to all other mobile home owners residing in the park on the effective date of this act, excepting only rent variations based on lot locations and size..."(emphasis added).

Base rent also includes most of the park owner’s operational expenses and profits, and in your case, additional consideration for the location of your lot. Article VIII of your prospectus and the terms of your lot rental agreement disclose how your lot rental amount, including base rent, will be increased.

In your case, you chose a base rent that included a premium for a water-only view, but your base rent included other considerations that are shared pro rata with other homeowners in your park. Thus, you can expect an increase in your base rent each year which will include an increase in operating expenses and the value of your location.

To be legally enforceable, an increase in lot rental amount must not be "unreasonable" (see Section 723.033, Florida Statutes). A rent increase may be unreasonable if it exceeds "market rent" (see Section 723.033(3), Florida Statutes). Further, in determining whether a rent increase is unreasonable, courts may consider other factors such as CPI, operating costs or taxes, prior disclosures and lack of maintenance or services.

HOA NEGOTIATING RENT INCREASES

Q: Our park is a rental community with a properly formed HOA. We own our homes but rent/lease the lots.

New park owners recently purchased our park and our rent agreement expires at the end of 2014. We will be undergoing rent negotiations soon.

Per 723.037(1) first paragraph last sentence: "The Homeowners Association shall have no standing to challenge the increase in lot rental amount, reduction in services or utilities, or change of rules and regulations unless a majority of the affected homeowners agree, in writing, to such representation."

To me, the intent of the statement is to ensure that the current home owners agree to the negotiations and the negotiators since the homeowners are constantly changing year to year.

Is the HOA Board required to obtain signatures prior to every negotiation and are we required to name the individuals negotiating or just the rent/statutory committee assigned by the HOA? If we are required to obtain new signatures, are there standard forms to use so we are legally correct when we obtain the signatures?

A: Your question relates to the statutory dispute process as set forth in detail in Section 723.037 (4) and (5), Florida Statutes and Florida Administrative Code, Rules 61B-32.003 and 61B-32.004.

Once you have received a 90-day notice of either and increase in lot rental amount, a change in rules and regulations or a reduction in services, which your homeowneers wish to dipute, the first step is to have a majority of the association’s board of directors appoint a 5-member committee (the "Committee") to meet with the park owner to discuss the reasons for the change and explore the possibility of settling the issues between the park owner and the Committee.

If no resolution regarding the issues raised by the Committee occurs at the meeting with the park owner, the Committee may elect to petition for mediation (see Section 723.037(5), Florida Statutes). If the Committee elects to petition for mediation, the petition must be filed with the Division within
30 days after the last meeting, the petition, on a form approved by the Division, you must include: 1) a copy of the 90-day notice of change; 2) The designation of the five-member Committee by the directors of the association, on a Division approved form; and 3) a "statement of dispute" stating that the disputed changes are unreasonable and which must be signed by a majority of the affected homeowners in the park (see Section 723.037(5)(a), Florida Statutes). Forms for the above-described documents may be obtained from the DBPR 1-800-226-9101, located at Northwood Centre, 1940 N. Monroe Street, Tallahassee, FL 32399-1031 or on-line at: http://www.myfloridalicense.com/dbpr/lsc/documents/34-001_petition.pdf

The only time you have to obtain the signatures of a majority of your homeowners on a "statement of dispute" is when you are going to file a petition for mediation regarding a change in rent, rules and regulations, or a reduction in service.

**RENTAL AGREEMENT**

Q: An Agreement was signed by the owner (#1) and HOA Board, providing for tax payments by homeowners with the stipulation (item 5) the agreement dies when owner sells. The Right of First Refusal was ignored. Owner (#2) after 1 year secured a partner and provided the ROFR to the homeowners which they refused to accept. After another year he sold (owner #3). No notice was given to the homeowners about the ROFR.

I have attached the agreement. Does it appear to be completely voided when #1 sold? Or does it continue for the term of 15 years?

The tax as a pass through has cost the homeowners about $230,000 over the life of the agreement.

Additionally, the prospectus says the trash is covered by the base rent, yet it is part of the taxes paid by the pass through, appears to be "double dipping".

A: Thank you for providing a copy of the agreement from which your questions arise. After reviewing the agreement, it is my opinion that there are 3 different term periods in the agreement, to-wit:

1. As set forth in paragraph 5 of the agreement, the term period for the association's right of first refusal to purchase the park was for 15 years, subject to certain conditions. One of the conditions was that the right of first refusal terminated on the sale of the park to a third party. This occurred, and the right to purchase and the 15-year term regarding that right were terminated and no longer enforceable. The termination of this right did not affect or void the remaining provisions of the agreement. Further, it is my opinion that the words "this Agreement" contained in the last two sentences of paragraph 5 refers to the language of paragraph 5 only.

2. The length of the term for provisions regarding payment of property taxes is set forth in paragraph 6 ("Term") of the agreement. This paragraph states:

"However, the obligation of the home owners to pay their pro rata share of the property taxes shall continue for the term of any lot rental agreement now in effect in the Park,...". This would mean that the payment of taxes as set forth in the agreement would continue, indefinitely, since the resale purchaser would, pursuant to Section 723.059(3), Florida Statutes, assume the rental agreements of the seller. However, lifetime agreements are not assumable unless otherwise stated in the lot rental agreement. (see Section 723.059(5), F.S.)

3. The remaining provisions of the agreement are subject to a 5-year term beginning February 9, 2004 and ending on December 31, 2009, as set forth in paragraph 6 of the agreement.

You need to investigate whether the trash charges are, in fact, included in both the base rent and the pass on of property taxes. If so, this would be a violation of Section 723.031(5)(c), Florida Statutes, which provides that ad valorem taxes and utility charges cannot be passed on if they are being collected in the remainder of the lot rental amount.

Lastly, it appears, as set forth in paragraph 3 of your agreement that the taxes for the base year 2002 is being collected in the base rent and that the park owner is passing on to the homeowners all cumulative tax increases beginning with the tax year 2003. This may result in "double-dipping", since, for example, if you receive an increase in base rent of 4%, you are paying a 4% increase on the amount of taxes included in your base rent, plus payment of 100% of the increases, or a total tax payment of 104%. This detrimental result can be avoided by unbundling the taxes from the base rent, receiving a commensurate reduction in base rent and paying 100% of the property taxes to the park owner.
NEW BOARD CREATES LEGISLATIVE COMMITTEE

In order to coordinate and support legislative initiatives affecting our membership, the FMO Board has appointed a Legislative Committee.

The Committee has been charged with the task of coordinating, assembling and promoting new initiatives that are in the best interest of our members and all residents of Manufactured Home Communities.

We are finding that as different persons sponsor and submit possible legislation, that overlapping can occur. In addition, Legislators are becoming unsure of what our true focus is. We have experienced recent circumstances where this has come to light.

We would ask that any proposed legislation be forwarded to the committee for review by the Board and our Attorney. We will then have a clear path to getting our Bills through those sponsors that we know will promote them as well as our Legislative Counsel, Nancy Black Stewart.

We have many ideas and needs as well as elected officials that are there to support us. We must present a clear picture of the issues we want to address and rally the support from everyone to meet our objectives and protect our lifestyle.

Our mission is to present all ideas in an organized and professional manner so that we can create the necessary action plans and increase the possibility of them becoming law. Please forward your ideas to the Legislative Committee at our Largo office.

Thank you for your support.

John P Salvucci
FMO State Board
President

Jerry H Durham
FMO State Board
Director at Large

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THE FMO AND THE HOA—TWO ORGANIZATIONS THAT WE NEED

By John Petrella
President District 3

In my eleven years as a manufactured homeowner, it became evident how important The Federation of Manufactured Homeowners of Florida (FMO) and our local community homeowners association are needed. In order for each organization to survive, one must support the other.

In order to be effective, the FMO needs the HOA with membership support. I was surprised to discover only 3 HOAs in my district are on the HOA Honor Roll that is published in the FMO News. Why are so many HOA board members not FMO members? Answer: They are not asked! If we ask them, they will join.

The reason there must be support in membership is twofold. First, the $22 per year is to pay for our administrative staff, our attorney, our legislative counsel in Tallahassee and the general expenses of running an organization. The second is to increase our membership number for us to be recognized as a formidable association with political effectiveness. If we are not strong in numbers, our organization will not be taken seriously. People power equals recognition.

Why does the HOA need the FMO? The FMO is the only organization that is protecting the rights of manufactured homeowners in a rental community in the state of Florida. Just to name a few of these rights: to organize an HOA, to meet with the Park owners, to be notified of rent increases, the right to mediation, and complying with Chapter 723. It has been stated that if the FMO would cease to exist, the next organization to fall would be the HOA. We would then be like tenants living in an apartment with very few rights.

So what are we as members and Park reps to do? An excellent display of recognition took place at our HOA meeting when our Park Rep. Jim Snow took the initiative to call the names of all Sunlake Estates HOA board members that are FMO members. The board members stood and the residents applauded them. I would suggest this form of recognition to all board members that are FMO members.

Our March membership meeting will include a forum on HOA Bylaws. Come and learn how HOA Bylaws are working for you and your neighbors. Coffee and Donuts will be available at 9:00 a.m.. The meeting begins at 9:30 a.m.

Please introduce yourself… I am looking forward to personally meeting you!
What an interesting month. Had to make a quick trip to Michigan, and was able to reaffirm the fact that I do not like -8 degree temperatures, and six inches of snow every day.

Four days before I got back, a lady left me a message on my phone: “Please call me, our negotiating committee has to meet with management in three days, and we need help”. I read in a park newsletter, a quote from the President of an HOA: “….They are only asking for a 4% increase.” (Actually, when I did the math, it was almost 5%). This is not how you win the battle to keep rent increases at a reasonable level. Park owners have thousand dollar lawyers supporting them, and the only chance we have in the negotiating arena, is to have a well trained, Statutory Committee, who is prepared in advance.

On February 7th, at the District 2 monthly meeting, I gave my first training session for Statutory Committees. District 2 sent out over 140 invitations to the HOA Board of Directors in the Pinellas County area. Over 100 people attended, and our FMO State Board of Directors President, John Salvucci also attended. The session began with the premise of an annual HOA election, and covered all actions needed to be taken by the HOA from then, right through the negotiations, and included a report from the Statutory Committee of “Down Yonder”, on how they were able to get the DBPR to assign a mediator because their Park Owners, ELS were in fact negotiating in bad faith. The meeting lasted over two hours, and between John and I, we were able to answer dozens of questions. This training session should be done throughout the state, if we are going to be successful in rent negotiations. Call me, I will come.

In traveling across the state, I find, in my opinion, that we need to do more communicating. Your new State board of directors is attending District Meetings across the State, like never before; keeping you informed on what is happening at the state level. I would like to see every District develop a website like District 2. Go to: fmodistricttwo.wix.com/fmo-d2, and see what you can have. It is fantastic, and it is FREE. Contact Section I Director Wendy Copeland, and she can tell you how to do this.

The most important job for our districts is to tell the story of the FMO to the residents in their parks, and invite them to join us. YOU, the PARK REPS, in my opinion, are the most important and crucial individual in the FMO. I would challenge all Park Reps, and District Officers: If each one of you across this state writes just two new members a month, every month, we will be successful in returning the FMO to the level of previous years.

**IF IT IS TO BE, IT MUST BE DONE BY ME**
THE FIVE ZERO CLUB
FMO honors the Park Representatives for Communities in the 50% Membership Club.

<table>
<thead>
<tr>
<th>COMMUNITY</th>
<th>DISTRICT</th>
<th>PARK REP</th>
<th>MEMBER %</th>
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<td>Mary Lou Allen</td>
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Florida Mobile Home Park Board Members Who Meet Chapter 720 Requirements Need Certification

By Joseph Adams on January 15th, 2014

Question: Does the new law which requires homeowners’ association board members to certify that they have read the governing documents or complete a board education class apply to board members of a homeowners’ association for a mobile home park governed by Chapter 723, Florida Statutes? P.T. (via e-mail)

Answer: It depends on whether your “homeowners’ association” governs a “mobile home park” or a “mobile home subdivision.”

The law which you reference requires all newly elected or appointed board members of a “homeowners’ association” governed by Chapter 720 of the Florida Statutes to certify that they have read the governing documents, will work to uphold such documents to the best of their ability, and will faithfully discharge their fiduciary responsibility to the association’s members. In lieu of such written certification, the newly elected or appointed director may complete an educational curriculum administered by an approved education provider within one year before, or ninety days after, the date of election or appointment. This law became effective on July 1, 2013.

The new law applies to board members of a “homeowners’ association”, which is defined in Chapter 720 as a Florida corporation responsible for the operation of a “community” or a “mobile home subdivision” in which the voting membership is made up of parcel owners or their agents, or a combination thereof, in which membership is a mandatory condition of parcel ownership, and which is authorized to impose assessments that, if unpaid, may become a lien on the parcel.

A “mobile home subdivision” is defined in Section 723.003(8) of the Florida Statutes, and is essentially a subdivision of land where the individual lots (and the mobile homes which sit on the lots) are owned by owners, but a portion of the subdivision or the amenities exclusively serving the subdivision are retained by the subdivision developer. Therefore, if you live in a mobile home subdivision and your association otherwise meets the definition of “homeowners’ association” in Chapter 720, Florida Statutes, your board members will need to comply with the new board certification law.

However, many mobile home parks are not “mobile home subdivisions.” Rather, they are communities where the resident owns the mobile home, but not the lot on which the mobile home sits. These are often referred to as “rental parks” and are typically not “resident owned communities.” In this type of mobile home park, the mobile home owner rents the lot from the park owner. Chapter 723 has its own definition of a “homeowners’ association”, which is different than the definition in Chapter 720. A Chapter 723 “homeowners’ association” is made up of the mobile home owners in a mobile home park, and acts as a liaison with the park owner. There is no requirement for Chapter 723 homeowners’ association board members to comply with the Board certification provisions in Chapter 720.

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FLAROC
http://flaroc.com

A Florida Not-for-Profit Corporation providing a forum connecting incorporated manufactured home communities throughout the State of Florida, including those covered by Chapters 718, 719, 729, 721, 513, 607 and 617 of the Florida Statutes.

FLAROC encourages growth through membership of individual communities and resident owned community groups throughout the state of Florida.

They provide for exchange of information, education and ideas through newsletters, a website, meetings, workshops and other media.

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LOBBYIST
MANUFACTURED
MEMBERSHIP
PARKREP
PREMIUM
PROSPECTUS
RECRUIT
RENT
RESEARCH
RESOURCES
SERVICES

EVENTS
MNT
J M S P W
RE H O M E O W N E R J E Z A
D T Y C A O V D A L Y L P L
C L N O I T A L S I G E L T Z
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✔️ Spouse covered at no extra charge
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### COMPARE

<table>
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<th>Benefit</th>
<th>Cross Country</th>
<th>AAA</th>
<th>Allstate Motor Club</th>
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<td>$66/first year $66/renewal</td>
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YES...I want to Join Cross Country Motor Club

Date: _____________________       FMO Membership #: ____________________________
Member: ___________________________       Secondary Member: ___________________________
Address: ____________________________________________________________
City/State/Zip: _________________________________________________________
Phone: _______________________       E-mail (please print): __________________________

Do not send cash. Fill out the coupon above and enclose a check or money order for $30, payable to FMO. Mark front of envelope “Cross Country Membership enclosed” and mail to: Federation of Manufactured Home Owners of Florida, 4020 Portsmouth Rd., Largo, FL 33771.

Questions? e-mail Joyce at ads@fmo.org or call (727) 530-7539.

Note: Your Cross Country Motor Club Membership will be billed separately.

Please allow 4–6 weeks to receive your card from CCMC.
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- Free Online Virtual Doctor
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- Sitter City
- Elder Care Services
- Government websites for Seniors
- Discount Concert Tickets
- Discount Theme Park Tickets
- Home Warranty Program
- Computer Sales & Service Discounts
- Auto Repair Services
- Auto Rental Discounts
- Financial and Insurance Offers

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- Publix
- Walgreens
- Sports Authority

* List as of January 2014. Individual offerings may change.

You will be able to download coupons from local businesses wherever you are located in the US and Canada. "Snowbirds" will enter your Florida zip code when prompted on the website to see all the savings that are offered here locally. On your return north, you just change to your home zip code or postal code and the stores and offers will change accordingly.

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- GRATUIT DOCTEUR VIRTUEL
- KITS ACCUEIL BIOMÉTRIQUE D’ESSAI
- SITTER VILLE
- SERVICES PERSONNES ÂGÉES
- SITES DU GOUVERNEMENT POUR LES AÎNÉS
- BILLETS DE CONCERT RÉDUITS
- BILLETS À PRIX RÉDUIT THEME PARK
- ACCUEIL DE GARANTIE
- COMPUTER SALES & RABAIS DE SERVICE
- SERVICES AUTO DE REPARATION
- REDUCTIONS NAUTO DE VACANCES
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Average Repair / Replacement Costs

<table>
<thead>
<tr>
<th>ITEMS</th>
<th>WITHOUT ARW</th>
<th>WITH ARW</th>
<th>ARW PREMIER PLAN</th>
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<td>$55</td>
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<tr>
<td>Electrical</td>
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<td>$55</td>
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PLUS Ceiling Fans, Garage Door Opener, Ice Maker, Built in Microwave, Garbage Disposal, Etc.

Heater $310-$1000+ $55 ✔ Covered
Water Heater $185-$500+ $55 ✔ Covered
Air Conditioner $450-$1000+ $55 ✔ Covered
Broken Pipe $150-$500+ $55 ✔ Covered
Oven/Range $200-$500+ $55 ✔ Covered
Refrigerator $300-$500+ $55 ✔ Covered
Dishwasher $150-$500+ $55 ✔ Covered
Washer/Dryer $160-$500+ $55 ✔ Covered
Electrical $110-$500+ $55 ✔ Covered

Breakdowns of systems and appliances in your home are a part of life. With a home warranty from ARW it’s like having your own technicians on call.

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March/April 2014
Here we go again! Delegates to the State Assembly held last December re-elected Richard Twort and Jack Berg to Directorships on the FMO Board, and newly-elected President John Salvucci appointed them to serve on Team DBPR. So those two are "back in the saddle again". Appointed to the third spot on the Team was new Section II Director Larry North.

During his trip through Tallahassee during the Christmas Season, President Salvucci met with our lobbyist Nancy Black Stewart and DBPR personnel, so we got off to an early start communicating with people who play a crucial role in our endeavors. There will still be quarterly visits to Tallahassee by Team DBPR to review the progress Division Supervisors Amelia Shekitka and Belinda Simmons are making on situations, complaints or questions brought to their attention by FMO members. We have followed up on over 150 requests for help in the past, and we currently are working for resolution on 5 more.

On Feb. 19, Mrs. Shekitka drove 200 miles to speak at a District 3 Meeting at Parkwood Oaks in Wildwood. The clubhouse was pretty well filled, and the FMO Board was well represented, including all members of Team DBPR. The audience was informed that they could ask questions at any time, and they certainly did. Lots of them! Her subject was limited to prospectuses, rules and regulations, and those asking questions stayed on point.

Her Division of the DBPR is concerned with Ch. 723 Prospectuses, Issues, Review and Requirements. As such, she reviews each community's prospectus text, their rules and regulations, all rental agreements, the lot layout of the community and other documents (such as covenants or underlying ground leases).

The prospectus is important, because with its exhibits, it discloses representations of the park owner about the operation of the park. New fees and/or conditions may necessitate a new prospectus, but any change to the original prospectus needs DBPR approval. Incidentally, the prospectus "stays" with the lot, not the home. If you move within the community, the prospectus which goes with your new lot now applies. For information on how prospectuses can be revised and what's allowable and what's not, please read rule 61B -31.001. (In my copy of FL Statutes, it starts on page 49.)

Amendments to the prospectus text and rental agreement must be filed with the Division (see 61B-30.002). A 90-day notice to homeowners is NOT required. However, changes to the Rules and Regulations do require a 90-day notice of the proposed changes to homeowners and the HOA, if one exists. (see 723.037)

It is the responsibility of the park owner to maintain a list of which prospectus relates to which lot in parks with more than one prospectus.

Do the homeowners have a say in what the park owner can change in rules and regulations? Yes, if they follow the process in 723.037 requesting a meeting with the park owner and must register with that office.

Can the park owner make people pay extra to use the pool? Only if not part of the amenities included in the lot rental amount. (See 723.003[13] and 723.031[3]). If you are interested in finding out if your community is properly registered as being a "55+" community, this is a HUD issue. Check with the FL Commission on Human Relations at http://fchr.state.fl.us. "55+" communities must register with that office.

Unless you give prior written consent (723.025), park owners may enter your home only "to prevent imminent danger to an occupant or to the home".

It is very important that you maintain and safeguard your prospectus, together with a copy of the approved rental agreement and approved amendments as they are delivered to you. They describe your rights and financial obligations as well as the duties of the park owner and the operation of the park.
CORRECTION

In the January/February 2014 issue on page 20 Snowbird Alert, we erroneously referred to the Closer Connection Form as 8870. It should have been Form 8840.

LEGAL EASE ARCHIVE

Don't forget to check out this wonderful feature on the FMO website www.fmo.org

Find Legal Ease questions and answers from the FMO News from the past 10 years. Go to "Member Area" and log-in. On the left will be a menu of various items. Click on "Legal Ease". Click on a topic to view specific information or click on the top option for the full archive.

**PLEASE REMEMBER: SOME ANSWERS MAY HAVE HAD LEGAL UPDATES SINCE PUBLICATION DATE.**

TEAM DBPR CONTACTS

Jack D Berg
jbandjbfl@earthlink.net
(941) 776-3732

Richard Twort
richardtwort@yahoo.com
(386) 760-7140

Larry North
lnorth75@tampabay.rr.com
(941) 721-3647

Send a copy of your complaint to:
FMO, Attn: Jane Clapp
4020 Portsmouth Rd
Largo, FL 33771
jane@fmo.org
(727) 530-7539

The Bureau is not involved in evictions, rent increases, comparable park lists, 90 day notice of change of disclosure, mediation process, trees and insurance. DBPR has no authority on FS 723.022/.023/.033 or 615

FLORIDA ANCHOR AND BARRIER COMPANY

1-800-681-3772

- State License #H/102549/1Mobile Home Installer - Workman's Compensation Insurance
- Insured • Bonded • Member: National Association of Mold Professionals

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Find past issues of FMO News online at our website www.fmo.org

Go to "Member Area" and log in. On the left will be a menu of various items. Click on "FMO News". Most previous FMO News back to 2001 are archived for your convenience.

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Go to "Member Area" and log in. On the left will be a menu of various items. Click on "FMO News". Most previous FMO News back to 2001 are archived for your convenience.
We’re ready to help you buy your park. Are you ready?

Specializing in Resident Owned Communities

Your Conversion Specialists. We provide the expertise for your rapid response to your park purchase opportunity when it arises. We guide you through the entire process, from contract negotiation and organizing the sales and financing effort through the closing. We even help you set up the management after you become the owners.

Community Management. Our licensed Community Association Managers have extensive experience in providing ongoing management for your board.

Home Resales. Lifestyle Choice Realty, Inc. is a licensed real estate broker and mobile home dealer, able to assist your residents with their real estate needs. Our on-site specialists help you build equity in your community by actively marketing your for-sale properties.

Lifestyle Choice Realty, Inc.
280 LaVista Dr. West, Winter Springs, FL 32708
Call Toll-Free: 1-866-527-3258
www.LifestyleChoiceRealty.com

How to get your copy of F.S. 723

Order your copy of the Florida Mobile Home Act, Florida Statute Chapter 723 from the Department of Business and Professional Regulation.

Call toll free: 800-226-9101 or 850-487-1395
Email: Please visit www.MyFloridalicense.com/Contact Us to complete our email correspondence form.
Web: www.MyFlorida.com/dbpr
Mailing: Department of Business & Professional Regulation Division of Florida Condominiums, Timeshares and Mobile Homes Northwood Centre 1940 North Monroe Street Tallahassee, FL 32399-1030

As a member of FMO, we value your opinion and any suggestions you may have regarding membership or ways that the FMO can improve or better serve you.

If your community does not have an FMO Park Representative, residents are missing out on attending District Meetings and all the various information from those meetings. Notices of these meetings are posted by the Reps and are a very important part of the FMO.

If you should need any information, please feel free to contact me.

BETH PANKOW

FMO News
The Florida Mobile Home Relocation Corporation

The Florida Mobile Home Relocation Trust Fund was created for the purpose of funding the administration and operations of the Florida Mobile Home Relocation Corporation. The purpose of this private corporation is to make payments to mobile home owners who are required to move due to a change in use of the land compromising their mobile home park. These payments are designed to help offset the expense of the home owner’s cost of relocating.

Relocation is relocating the home to a new location within a 50-mile radius. Upon approval, a home owner is entitled to actual moving expenses of relocating the mobile home up to $3,000 for a single-section home and up to $6,000 for a multi-section home. In lieu of filing for relocation, a home owner may abandon the mobile home in the park. The home owner must be able to deliver the current title to the park owner, duly endorsed by the owner of record and valid releases of all liens shown on the title. The owner of a single-section will be eligible for $1,375 and the owner of a multi-section will be eligible for $2,750 in abandonment money from the Corporation.

There are certain restrictions and payment caps imposed by the new law. Please contact The Florida Mobile Home Relocation Corporation in one of the following ways:

**Toll Free Telephone:**
1.888.862.7010

**Website:**
www.fmhrc.org

**U.S. Mail:**
Florida Mobile Home Relocation Corporation
P.O. Box 3047
Tallahassee, FL 32315
**HOA OFFICER UPDATE**

We are in need of the Home Owners Association (HOA) contact information for your community. Immediately following your election, please help us by filling out the information on the data sheet below and return by mail to: FMO, 4020 Portsmouth Rd., Largo, FL 33771. Mark HOA UPDATE on the outside of the envelope. You may also FAX the information to (727) 535-9427 OR you may send the information via email to members@fmo.org and in the subject line, type HOA UPDATE. Your help is greatly appreciated.

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**PRESIDENT**

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**VICE PRESIDENT**

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**Federation of Manufactured Home Owners of Florida, Inc.**
FMO Membership Application

Fill out and return this portion along with your check to:
Federation of Manufactured Home Owners of Florida,
P.O. Box 5300, Largo, FL 33779-5300

☐ One-year FMO Membership for $22
☐ Three-year FMO Membership for $55
☐ Premium Membership Status - Add $13 (renewal paid annually)
☐ Cross Country Motor Club - Add $30 per year

Only the two individuals listed below are eligible for membership. Persons listed must live at the address given on this application. Memberships are not transferable between generations.

We need the following information (please print clearly)

Date: ____________________________________________
Name: __________________________________________
Birth Date (Optional): ______________________________
Co-member: ______________________________________
Florida Address: ___________________________________
City/State/Zip: ___________________________________
Phone: (_____) ____________________________
E-mail Address: ___________________________________
Park Name: ______________________________________
I am a: ☐ Lot Renter ☐ Other _______________________

To pay with credit card:
☐ Mastercard ☐ Visa ☐ Discover
Card #: ____________________________
Exp. Date: __________ Auto renewal? ☐ yes ☐ no ☐
Signature: _____________________________________

Non-Florida Address (if applicable)
Address: ________________________________________
City/State/Zip: ___________________________________

Check off whole months you DO NOT live in Florida:
☐ Jan. ☐ Feb. ☐ March ☐ April
☐ May ☐ June ☐ July ☐ Aug.

Recruiter Name __________________________________
_______________________________________________
Membership Number ______________________________

Number of FLORIDA registered voters in household: ______

Please enclose check payable to FMO. U.S. Funds only. Do not send cash.

A complete explanation of your FMO benefits will be included with your new membership cards. Please allow 4 to 6 weeks for processing time.

Cross Country Members: You will receive a separate membership card from Cross Country in approximately 4 to 6 weeks. If you should need roadside assistance before you receive your Cross Country card, please call their toll-free number (800) 528-2056.

Questions? Call membership at 727/530-7539 or e-mail: members@fmo.org

Thank you for joining the only organization fighting for the rights of manufactured/mobile home owners!

Date: __________________ Name: ________________________

Check Amount: __________________ Check Number: ____________________

NOTICE: Contributions or gifts to the Federation of Manufactured Home Owners of Florida, Inc., are not deductible as charitable contributions for federal income tax purposes.
Postal Regulation Requirement: Forty cents of every membership is allocated to the publishing of the FMO News.

To pay with credit card:
☐ Mastercard ☐ Visa ☐ Discover
Card #: ____________________________
Exp. Date: __________ Auto renewal? ☐ yes ☐ no ☐
Signature: _____________________________________

Keep this portion as your receipt (return the application portion to the FMO.)
IMPORTANT MEDICARE INFORMATION

HOSPITAL STAYS - ARE YOU "ADMITTED" OR "UNDER OBSERVATION"

Over the past several years, hospitals throughout the country have increasingly classified Medicare beneficiaries as observation patients instead of admitting them, according to researchers at Brown University, who recently published a nationwide analysis of Medicare claims in the Journal of Health Affairs. The results showed that in just three years, 2007 through 2009, the ratio of Medicare observation patients to those admitted as inpatients rose by 34 percent.

Because observation care is provided on an outpatient basis, patients usually also have co-payments for doctor's fees and each hospital service, and they have to pay whatever the hospital charges for any routine drugs the hospital provides that they take at home for chronic conditions such as diabetes or high cholesterol.

Observation patients cannot receive Medicare coverage for follow-up care in a nursing home, even though their doctor recommended it. To be eligible for nursing home coverage, seniors must have first spent at least three consecutive days (or through three midnights) as an admitted patient, not counting the day of discharge.

Courtesy of Kaiser Health News

FMO - WHO DO WE HELP?

Because there are all types of manufactured home owners—those that own their home and land, those that rent land, those that live in family communities, just to mention a few—the FMO has diversified to assist home-owners in whatever situations they may find themselves.

RENTAL COMMUNITIES
Residents of rental manufactured home communities own their homes and rent the lot on which the home sets. The FMO helps residents of rental manufactured/mobile home communities prepare for negotiating with their park owners regarding rent increases. The FMO also provides information about Chapter 723, Florida Statutes (FS), which governs unique park owner/lot renter issues. In addition, the FMO offers workshops on negotiating with a park owner and resident purchase of a community.

RESIDENT OWNED COMMUNITIES
The FMO has pushed for and won many rights for resident owned communities (cooperative and condominium forms of ownership), including clarification of homestead exemption requirements so cooperative manufactured home residents could claim the $25,000 exemption from taxation enjoyed by other Florida residents. Working with other organizations, the FMO has also succeeded in getting the Florida legislature to lower the annual fees for registering a not-for-profit corporation with the state.

FAMILY COMMUNITIES
The FMO is aware of the unique challenges faced by families. As working parents with small children or working adults without children, those who live in family communities are consumed with many activities during the day and don't have time to worry about new local or state laws that could affect their lives. The FMO monitors these issues for them.

SUBDIVISIONS
In the early 1990s, FMO members who lived in subdivisions began asking the FMO for assistance with some problems they were having with community developers. In 1995, the FMO successfully pushed legislation specifically for mandatory homeowners' associations, which include subdivisions.

FMO News
## FMO Resource Material Order Form

**Ship order to:**

Name: __________________________  Date: ____________________
Street Address: __________________________
City: __________________________  District: __________________
Phone: __________________________  Park Name: __________________

**Name:** __________________________________________
**Street Address:** __________________________
**City:** __________________________  **Date:** ____________________
**Phone:** __________________________  **Park Name:** __________________

**Instructions:** Please mark quantities on all items requested. **Allow 2 weeks for delivery!**

Items marked with an arrow ➔ must be purchased. Send check payable to FMO.

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### MEDIATION INFORMATION

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### MISCELLANEOUS

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* Price includes tax, shipping and handling.

**PLEASE REMIT PAYMENT WITH ORDER.**

Price subject to change without notice.

To pay with credit card:
- [ ] Mastercard
- [ ] Visa
- [ ] Discover

Card #: __________________________
Exp. Date: ______________
Signature: __________________________
Billing address: __________________________
Address: __________________________
City/State/Zip: __________________________
Phone: (_____) ______________

Most items can be downloaded by MEMBERS at www.fmo.org free of charge.

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Federation of Manufactured Home Owners of Florida, Inc.  •  4020 Portsmouth Road  •  Largo, Florida 33771
(727) 530-7539  •  Fax (727) 535-9427  •  Website: www.fmo.org

#70 M  Rev. 2/13

March/April 2014
**FMO NEWS AVAILABLE ONLINE**

Each issue is posted on the FMO website. To save money and trees, you can stop hard copy mailing by emailing members@fmo.org

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**For advertising information call Joyce at 727-530-7539.**

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The Largo Office could use your help.

email: admin@fmo.org if you have some time you want to donate to help YOUR FMO.

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<td>Lifestyle Choice Realty Inc.</td>
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<td>Professional Insurance Systems</td>
<td>1-800-329-5799</td>
<td><a href="http://www.prosinsurance.us">www.prosinsurance.us</a></td>
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NEW! Florida Mobile Home Owners Insurance Plan**

Get Quick Quote
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- Boat Insurance
- Mobile Home insurance
- Health Insurance
- Medicare Advantage Plans
- Medicare Supplements
- Life Insurance
- Annuities
- Long Term Care
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