



Truman Annex Property Owners' Associations

Summer 2013

Serving:

- TAMPOA
- Harbour Place
- The Foundry
- Mills Place
- Porter Court
- Shipyard

Inside this issue:

Harbour Place	2
The Foundry	2
Mills Place	2
Porter Court	3
Shipyard	3
Rules and Regulations	3
Community Association Fundamentals	5

Community Association Bills Signed by Governor

HB 73, Relating to Residential Properties, by Representative Moraitis, and HB 7119, Relating to Homeowners' Associations, by Rep. LaRosa, were approved by Governor Rick Scott on June 14, 2013. The effective date of both bills was July 1, 2013. The following is a summary of the bills, which will have significant impacts on the operation of condominium, cooperative, and homeowners' associations.

HB 73 (Rep. Moraitis), Relating to Residential Properties. HB 73 includes a number of changes to the Condominium, Cooperative, and Homeowners' Association Act, including, but not limited to:

- (1) Postpones Phase II Firefighters' Service upgrades on elevators until the elevator is replaced or requires major modification;
- (2) Fixes insurance glitches by clarifying that the association's repair responsibility for items it insures is limited to insurable events;
- (3) Imposes a sixty (60) day deadline for election challenges and certain recall challenges;
- (4) Removes the requirement for a member vote in order for condominium board members to serve two-year terms;
- (5) Allows owners to use electronic devices to copy official records and allows associations to print owner directories;
- (6) Changes the thresholds for required financial statements. For example, the bill increases the audit threshold from \$400,000 to \$500,000 in annual revenues. The bill also decreases the threshold for a report of cash receipt and expenditures from 75 units to 50 units.
- (7) Allows a condominium board to install code-compliant doors in the same manner as currently allowed for code-compliant windows;
- (8) Provides for a streamlined method for obtaining mortgagee consent for amendments for cooperative and homeowners' associations;
- (9) Revises the official records provisions in the Cooperative Act to more closely conform to the Condominium Act;
- (10) Imposes a board certification or education requirement for cooperative board members, as is currently required for condominium board members.

HB 7119 (Rep. LaRosa), Relating to Homeowners' Associations. HB 7119 significantly impacts the operation of homeowners' associations including, but not limited to, the following:

- (1) Provides that community association managers (CAMs) can be disciplined for violating any provision of chapters 718, 719, and 720;
- (2) Revises the official records provisions to more closely conform to the Condominium Act;
- (3) Allows associations to charge personnel costs if retrieving the official records exceeds one-half hour, if the personnel costs do not exceed \$20 per hour, and if the pages copied exceed 25 pages;
- (4) Reduces the copy charges for official records from .50 to .25 per page;
- (5) Requires every CAM, or the association when there is no CAM, to report to the Division by November 22, 2013, the name of the association, the FEIN number, the mailing and physical address, the number of parcels, and the total amount of revenues and expenses from the annual budget of the association;
- (6) Imposes a board certification or education requirement for HOA board members, as is currently required for condominium board members;
- (7) Provides for certain disclosures if the association enters into a contract or other transaction with any of its directors, and allows the contract or transaction to be canceled by a majority vote of the members present at the next regular or special meeting of the members;
- (8) Prohibits an officer, director or manager from soliciting or accepting anything of service of value for which consideration has not been provided from any person providing or proposing to provide goods or

Continued on page 5



New landscaping in front of the Harbour Place Admin Building and at the pool.

Harbour Place

Summer has arrived bringing lots of rain, but no hurricanes. We hope to be fortunate again this year, but no one can control the weather.

Our landscaping project is nearly completed. It looks very nice and is quite an improvement over the way it previously looked. We think that everyone will be pleased with our new look. Included with new plants are new lighting and a new irrigation system. Also, we are close to finishing our pool house renovation as well.

Hurricane season officially started on June 1 and will be in effect until November 30. Please remember to follow the Harbour Place and TAMPOA policies. **IF A UNIT IS NOT OCCUPIED, ALL ITEMS MUST BE REMOVED FROM BALCONIES AND DECKS. IF A UNIT IS OCCUPIED AND A HURRICANE WARNING IS ISSUED, ALL ITEMS MUST BE REMOVED IMMEDIATELY FROM ALL BALCONIES AND DECKS. THERE ARE NO EXCEPTIONS!** These policies are for

the safety of everyone's persons and property. Please report any problems, concerns, etc. to Management and / or any of the Board members as soon as something occurs so that it can be addressed in a timely manner.

Best Regards to All,

Tony Marcussen

President, Harbour Place

“The pool plantings continue to mature and are looking better and better...”

~Rob Hoopes

The Foundry

The usual content of the periodic newsletter tends to deal with “issues” affecting The Foundry. This summer, I am pleased to report that there are no significant problems or concerns surrounding our townhomes. The fences that we painted last year still look bright and clean; the pool plantings continue to mature and are looking better and better and the Whitefly mess is diminishing significantly. In addition, The Foundry's finances remain

in good order. There still seems to be interest in carports, but there has been no definite action at this time.

The summer newsletter demands that I remind you to check out your second floor balcony drain. If these drains become clogged, water can back up and cause flooding in yours and adjacent units causing damage - especially during hurricane season. You should also have someone available to

bring in or secure your outdoor furniture if a hurricane warning is given. Board members Jeff Stein and Steve Wiggs join me in welcoming any suggestions or concerns you have about The Foundry.

Regards,

Rob Hoopes

President, The Foundry

Mills Place

No news is good news. Hot and humid with frequent thunderstorms and showers. Some of the recent downpours prompted a survey of the lower level units and mail room for water damage, but all is well and the debris left on the outside walls has been swept away. Also, any Whitefly residue has been washed away as well. Foliage is lush especially around the pool. The newly planted (and tenderly cared for by Karen) Bromeliads look

lovely and well established. Trimming of the Bougainvillea along the fence has been accomplished and the larger coconuts have been removed, so despite some fierce wind storms, no damage has occurred. Of course, each unit owner is expected to have a competent contractor to secure his or her unit should we experience a hurricane warning. On a different note, each owner needs to notify his or her rental agent that a Unit Use Notifica-

tion is required to be submitted to the Management office for each occupancy including friends and family members other than the unit owner. This is especially important if a car is involved.

Here's to a quiet summer!

Cheers, all.

Carolyn Sangston

President, Mills Place

Porter Court

Many of us have left Key West for the summer. In our absence, work has continued in Porter Court. The irrigation system was replaced. Because of the age of the old system, the cost was more than we had hoped, but after three weeks of hard work by Blue Island Irrigation, we now have a truly functional system. We will now save on water usage due to proper head flows. We were able to install more landscaping and replant a few trees that we had to replace because of the removal of a Mahogany that

was required by the City Tree Commission. All in all, our landscaping looks as nice as I have ever seen it. A big thanks goes out to our landscaping experts Sally and Neal Mughnerini and Doug Lynch. The coconut palms have been trimmed in our common areas. We still have some minor lower deck repairs and painting to do, but that will take place later in the summer. We had one property change hands in April to Craig and Cindy Tellerd who are previous Porter Court owners. Craig is on the TAMPOA

Board of Directors. Lastly, Neal Mughnerini is the contact person for the carport project and 12 owners have signed up so far. The engineering plans are being drawn up now and we will await City approval. Hopefully this project will start soon and be completed by October. Carports will be a major improvement for our property.

Regards,
Phil Hansen
President, Porter Court

“All in all, our landscaping looks as nice as I have ever seen it.”

~Phil Hansen

Shipyards

THE FIRST ANNUAL SHIPYARD ICE SCULPTURE CONTEST was held in June around the swimming pool and the entries were spectacular. Unfortunately, the judges were late in arriving, so I can't announce the winners. Sorry that the runoff cooled down the pool water a bit. Now if you believe what I just said, I have a bridge in Brooklyn I'd like to sell you. Actually, this was just my cheap trick to get you to read this newsletter.

HURRICANE DRILL. You've heard this request every year, but it bears repeating what with the craziness of the weather everywhere in the U.S. Please make arrangements with your property manager, housekeeper or whoever, to bring inside tables, chairs and any items that could become flying missiles. You've seen news reports of how strong winds can pick up heavy objects that can wreak havoc any and everywhere, so don't count on Danny and the

Maintenance staff as they will be busy securing the Association's pool furniture and other common area items throughout all of the Annex. Please.

WHERE THERE IS WOOD, THEY WILL COME. The Association spends over \$4,000 each year treating the common areas and the outside of Shipyards units for termites. So there is no misunderstanding of who does
(Continued on page 4)



The mounds near the Shipyards pool are looking beautiful and lush this summer.

Rules & Regulations

As the old saying goes, "One bad apple can spoil the whole bunch." The same idea often holds true for residents who choose to ignore a community association's rules & regulations, even if they are well-intended and in place to serve the greater good of the community. In the end, it's the board that must take the pulse of the community and determine what rules are appropriate and instruct the property manager to enforce them as necessary. For homeowner associations and condominiums in Florida, the lines are drawn clearly on how rules should be implemented. The property manager should bring concerns and issues to the board's attention and should work to establish rules and the board itself votes on approving rules.

The summer months are a good time to address deficiencies that may exist throughout the property. Violation letters are sent as a reminder to those owners who need to address infractions that exist at their properties for which they are responsible. Please do your part to maintain the community by correcting any violations in a timely manner.

Rules are created for many reasons, but some unit owners forget why some of them are there in the first place, or that they have a personal stake in their enforcement. Professionals stress that establishing a sound, rational set of fair and enforceable rules is the best way to promote harmony in community associations.

Shipyard (continued from page 3)



Walkway and pool projects underway in Shipyard.

what, the Association documents say that all windows and door frames inside and out, all ground floor back deck extensions and of course all infestations of the mini “woodchucks” inside are an individual homeowner’s responsibility. We use Orkin for the Shipyard work, but you are free to choose whatever company you want to fight the critters inside your unit.

SOME SPIFFING UP WHILE MOST OF YOU ARE AWAY. Major capital improvements are underway during the off season and hopefully before the threat of hurricanes precludes getting important work finished. We have started having the swimming pool resurfaced (see photos) as well as new tiles and LED lights added. Sterling has arranged for you and / or your guests to use the pool across Southard Street in President’s Walk while our pool is under construction. We will return the courtesy to President’s Walk owners and guests should their pool need to be closed for any future work. We thank them for their good neighbor policy. We do ask parents to accompany children to cross Southard Street and to please use the crosswalks. We’re sorry for this inconvenience, but there is never a good time to do such work and we couldn’t wait until being deeper into hurricane season. The pool bathrooms will have high speed hand dryers instead of paper towels; a rubber mat to avoid wet and dirty footprints and a stronger vent system to keep the air fresh. There is also a cement walk being added at the far end of the pool leading to the parking lot next to Unit #188 (see photo) so those wheeling luggage or walking to the compactor will be able to navigate without playing hopscotch on broken flagstones. **PLANTINGS** are to be added at the far end of the pool to thicken the foliage (thank you to Land-

scape Committee members Sandy Roy, Donna Weinstock and Terrie Newman) to get a running start on this improvement during our rainy season. Add to that the needed patching in the two parking lots and you have a fine looking Shipyard when you return.

BUT THAT’S NOT ALL THE NEWS. When entering the main parking lot, sometimes the key pad takes a little time to work for new guests and visitors. SO, Shipyard owners now have the option of purchasing a remote unit that can go on the car visor or come in a key chain model that will open the gate as you approach the gate eliminating traffic backup on Thomas Street. The cost for a remote gate opener is \$50 and can be billed to your Shipyard account along with your monthly condo fees. Going out the gate will be the same as before...your bike or car will trigger the gate to open. And the button to manually open the gate will remain. The key pad, of course, can still be used by owners along with cab drivers, vendors, delivery trucks and repair folk.

WELCOME YOUR NEW NEIGHBORS Michael and Jerilyn Grimm from Sugarloaf Key in Unit #102-05; Henrik and Madeleine Elmgren from Newton, PA in Unit #102-10; Scott and Aleta Ostlund from Coto de Caza, CA in Unit #286 and Michael and Cynthia Alves from Canadaigua, NY in Unit #296. We hope to meet you at our annual social in January the evening before our annual meeting. Just as an FYI, according to Board member Mike Caron, our resident real estate guru, there is only one Shipyard unit on the market, so if you know of anyone who wants to become part of the Shipyard family, now is the time as prices continue to improve.

UPDATE ON THE DRYER VENT CLEANINGS. To date, 60 Shipyard owners have signed up to have their dryer vents inspected and repaired if necessary. To illustrate the extent to which vents have been clogged, see the photos at the end of this newsletter. It says it all about the volume of lint that can, at the least, lessen the efficiency of your dryer and, at the worst, result in a fire hazard with lint being blown into your attic or behind your washer/dryer. If you have not had your vent inspected and repaired if necessary, I urge you to put your name on the list with Stephanie. The cost is an owner expense, but the Association will invoice you in the monthly condominium fee statement.

I am always glad to get feedback, questions and comments. I don’t know the answer to “What is the meaning of life,” but between the Management office, my fellow Board members and the Finance, Pool, Landscape and Social Committees, we hopefully can respond. And if there is information you’d like to see in our quarterly newsletter, I welcome your suggestions. Our next Board meeting is Wednesday, July 24th at the Administrative office at 10:00 a.m. All owners are always welcome to attend.

Respectfully Submitted,
Jack Agnew
President, Shipyard

P.S. With politics constantly in the news, I offer this: When campaigning, Winston Churchill approached a man who exclaimed “Vote for you? Why I’d rather vote for the Devil.” “I understand,” said Churchill “but in case your friend is not running, may I count on your support?”

Community Association Bills Signed by Governor (continued from page 1)

services to the association;

(9) Provides for removal from board if a director or officer is charged with certain crimes;

(10) Requires all associations to maintain insurance or a fidelity bond for all persons who control or disburse funds of the association. However, such requirement may be waived annually by a majority of the voting interests present at a properly called meeting of the association;

(11) Provides that within 30 days after recording an amendment to the governing documents, the association shall provide copies of the amendment to the members;

(12) Clarifies that nominations from the floor are not required if the election process allows candidates to be nominated in advance of the meeting and further amends that section to provide that an election is not required unless more candidates are nominated than vacancies exist;

(13) Provides new triggers for turnover of control of the association from the developer to the non-developer owners;

(14) Permits members other than the developer to elect at least one member of the board when 50% of the parcels in all phases of the community which will ultimately be operated by the HOA have been conveyed to the members;

(15) Limits the ability of the developer to make certain amendments to the declaration;

(16) Provides that the term "previous owner" shall not include an association that acquires title to a delinquent property through foreclosure or by deed in lieu of foreclosure and provides that present parcel owner's liability for unpaid assessments is limited to any unpaid assessments that accrued before the association acquired title to the delinquent property through foreclosure or by deed in lieu of foreclosure.

Our thanks are extended to the The Community Association Leadership Lobby (CALL) for providing this information to our owners. CALL is the leading organization working to enhance the quality of life and protect property values for Florida's community association residents.

Regards,

Harold Berry - President, TAMPOA

Community Association Fundamentals

We would first like to thank all residents for taking pride in your community. It is especially important for all residents to clean up around your homes and abide by the association's established parking policies. Please also remember to submit a rental registration form for any rentals that you may currently have or that occur in the future or ask your agent to do so.

Even though you live in an association, you might be surprised how many of your neighbors - owners and renters alike - don't understand the fundamental nature of common-interest communities. And we know that many others, including the media and government officials, lack a true understanding of the community association concept.

Community Associations Institute (CAI), a national membership organization that represents the best interests of common-interest communities like yours, developed 10 basic principles that answer three essential questions: What is the basic function of a community association? What are the essential obligations and expectations of homeowners? What are the core principles that should guide association leaders?

We're confident you'll recognize your community while reading these principles.

1. Associations ensure that the collective rights and

interests of homeowners are respected and preserved.

2. Associations are the most local form of representative democracy, with leaders elected by their neighbors to govern in the best interest of all residents.

3. Associations provide services and amenities to residents, protect property values and meet the established expectations of homeowners.

4. Associations succeed when they cultivate a true sense of community, active homeowner involvement and a culture of building consensus.

5. Association homeowners have the right to elect their community leaders and to use the democratic process to determine the policies that will protect their investments.

6. Association homeowners choose where to live and accept a contractual responsibility to abide by established policies and meet their financial obligations to the association.

7. Association leaders protect the community's financial health by using established management practices and sound business principles.

8. Association leaders have a legal and ethical obligation to adhere to the association's governing documents and abide by all applicable laws.

9. Association leaders seek an effective balance between the preferences of individual residents and the collective rights of homeowners.

10. Association leaders and residents should be reasonable, flexible and open to the possibility (and benefits) of compromise.

TRUMAN ANNEX PROPERTY OWNERS' ASSOCIATIONS

201 Front Street, Suite 103
Key West, FL 33040

305.296.0556, office
305.293.0251, fax
305.294.3995 guard house

Sterling Christian, CPM®
Operations Director
sterling@tampo.com

Vickie Datzman, CAM
Community Association
Manager
vickie@tampo.com

Connie Christian, CPA
Accounting Manager
connie@tampo.com

Stephanie Hellstrom
Office Manager
stephanie@tampo.com

We're on the web
www.tampo.com