

SPANISH LAKES - GOLF VILLAGE HOMEOWNERS ASSOCIATION, INC.
GENERAL MEMBERSHIP MEETING
JANUARY 6, 2022

Call to order

- The meeting was held in the clubhouse Auditorium and called to order at 7:10 PM by Bill Neal.
- The Pledge of Allegiance was recited.
- Board members in attendance were introduced – Bill Neal, President; Susan George, Secretary; Sandi Pierce, Membership Coordinator, Doreen Van Buren, Treasurer. Bill reminded everyone that we still need a VP
- Bill said that we had scheduled a guest speaker but he was not in attendance. We will reschedule for next month.

Approval of Minutes

- Susan read the minutes from the 12/2/21 meeting. Annemarie Huggins moved to accept the minutes read. Bobby Clancy seconded.

Treasurer's report

- Doreen read the Treasurer's report for the period of 12/2/21 to 1/3/22. Starting checking account balance was \$4326.44 and ending balance was \$3062.42. Petty cash starting balance was \$91.00 and ending balance was \$81.00 (see attached for details). Annemarie Huggins moved to accept the report as written. Marie Bittner seconded.

Membership Report

- **Membership** - Sandi reported we currently have 185 members on our roster, with 68 in attendance tonight.
- **Sunshine** – We had our Holiday Mixer and we have our Pool Party, Flea Market, and Spring Fling Dinner Dance coming up. We need volunteers to help out and Sandi asked everyone to sign up for an event committee. Events will raise funds for our legal fees.
- **New Resident Welcoming** – Since our last meeting Sandi has received notifications of 15 new residents and has sent out letters welcoming them to Golf Village, telling them about the HOA and inviting them to join.

Old Business/ Board of Directors Report

- **Committee Reports**
 - Nominating – Per Annemarie Huggins, the Nominating Committee hasn't found candidates to run for expiring Board positions. Bill shared that the current officers are willing to run again but we still need a Vice President, "no experience necessary – just common sense and integrity." All members were encouraged to consider a Board position.
 - Fundraising – We still need volunteers for the fundraising committee.
 - Speakers – We'd like a committee to help find speakers on topics of interest.
- **Holiday Mixer** – The Holiday Mixer was successful and it was nice to have a social activity.
- **Second egress issue** – Sandi reported that the civil engineer from the city said a traffic study was done prior to Christmas, and another one is scheduled for January. He will get back to Sandi with the findings. He also said that when our park was built they only needed to have one entrance/exit. Any new egress would have to be built by the park owners, and the city can't mandate it. Sandi feels this is a big safety issue and she would like to form a committee to consider alternative options for creating an additional egress. This will be on the agenda for our meeting with Wynne Corp.
- **Grille operation** - Bill shared that we have permission to run the Grille on Mondays and Tuesdays. Ernie George and John Pierce have agreed to head up the Grille operation but we need more people to work it. See Ernie or John if you can spare a few hours to help with the Grille.
- **Wood Shop** - Neil said he would get it opened to residents, but as Neil has been out with Covid it hasn't happened yet. Bill will follow-up.

- **Concerns about long-term renters not being monitored/addressed by park ownership** – This will be on the agenda for discussion with the Wynne’s
- **Decorations** - Any clubs who put up Christmas decorations will need to take them down this week
- **Annual Club Sign-Up** – Club sign-up is Saturday, January 8th from 10 AM to 12 N in the Auditorium

New Business

- **Dispute** – Bill noted that a few months ago the Wynne’s rescinded the tax pass-through, which was a big win for us all. However, they then decided to increase the lot rents from what was previously stated. There are a number of issues with this action.
 - We were all told the increase would be 3.5% but then November and December renewals were advised retroactively on 12/21 and 12/22 that their increase would now be 5.4%. Per our attorney, if a person was told it would be 3.5%, but more was taken out of their bank account without a 90 day notice, it would constitute theft. If anyone this happened to wants to pursue legal action, let Bill know so we can give your information to Atty. Burandt. As for January and February renewals, they received notices for 5.3% and 5.4% increases dated 12/23, which is less 90 days.
 - Another issue is the variable rents month to month based on a fluctuating CPI. The Wynne’s have always used one rate increase annually. Our attorney said that per Florida statute he does not feel it is legal to vary rents based on month of renewal.
- **Question asked** – *Does the HOA have copies of the rent increase letters owners received from Wynne Corp.?* Bill said that the HOA receives copies of all rent increase letters monthly. Because it is personal information it is kept private and is never released without an owner’s agreement.
- **Question asked** – *What about the CPI range 3.5 to 7.5?* Bill explained that the Prospectus states that lot rent can’t increase more than the CPI. He noted that over the past 10 years, the CPI has increased 18.7%. If the Wynne’s had increased 18.7% they would be even. However, they have increased the rents 28.9% in the past 10 years. This year alone they will take in \$600,000 more than if they had stayed equal to the CPI as directed by the Prospectus and will make \$5 million annually from this park. Also, the Prospectus says that park management is responsible for maintenance and hiring enough staff to do it. This isn’t happening.
- **Plan** – Bill said that all these issues will be presented by our attorney and pursued with the Wynne’s. As the issues have partially changed, we have a new Statement of Dispute. We’ll again need volunteers to go around the park and obtain signatures of 51% of homeowners in order to proceed with legal efforts. We are also collecting pictures and supporting documentation about the issues. We will need to raise funds for our legal fees. Bill stressed that we need to stand together to let park management know that we’re not just “a group of stupid old people who are going to roll over and play dead.”
- **Question asked** - *Is the Prospectus a contract?* Per our attorney, it is a legally binding contract, filed with the state of Florida, outlining responsibilities of both parties. Per Russ Hebert, if it is a contract and Wynne Corp. violates the contract, it is then null and void.
- **Question asked** – *Has the Prospectus changed over the years?* That warrants looking into. Bill asked if people could show us their Prospectus’ from years past to compare with recent ones.
- **Question asked** – *Are we still working with the other Spanish Lakes Parks?* Bill said yes we are, although the other parks have slightly different Prospectus’.
- **Waste Pro** – Bill noted that the Wynne’s are saying the trash pick-up problems are Waste Pro’s responsibility, not park management’s. Not so. Park management is obligated to do whatever it takes to see that trash is collected as outlined in the Prospectus, i.e. collected twice weekly. One member noted that recycling is being picked up maybe every 2 weeks, and he suggested we just put the recycling in the trash as that’s where it is ending up anyway. Another member offered to pick up recycling herself.

- **Question asked** – *Should we pay the new rate or can we just pay the 3.5% originally quoted?* Our attorney recommends you pay what is asked. When we win, you will get it back. Someone suggested we document on our payment that it is being submitted “under duress.”
- **New legislation** – A member shared that Governor DeSantis has initiated legislation to crack down on landlords charging exorbitant rates. Bill noted that the average monthly lot rent at Golf Village is around \$650. His daughter lives in a beautiful, pristine complex and only pays \$285/month.
- **Excessive hikes in lot rents upon sale of homes** - One person noted that recently rents have been raised as much as \$150 for new owners compared with rent of prior owners. This is a change from past years and doesn't reflect lot amenities such as waterfront.
- **Issue of requiring “approval” for a current owner to move within the park** - The Wynne's are charging \$100/person for approval to buy in the park, even if someone already lives here. Our attorney said this is not legal as the “approval” is to live in the park, not to purchase a specific property. Anyone who has been charged for “re-approval” is encouraged to take it to small claims court.
- **Issue of lengthy approval process for private sales vs Wynne owned home sales** – It is not unusual for approval to take more than a month, often leading to buyers backing out. Wynne home approvals are done in a week or less. This seems to be an attempt to manipulate folks toward buying a Wynne owned home rather than a private sale.
- **Unfair practices** – One member said that after he bought a Wynne owned home, the company removed lattice and a shed without his knowledge. They refused to give him his money back. He also was not told prior to purchase that his house, which is across the street from the dog walking area, was not in a designated pet area. They wouldn't accept his physician's letter certifying his emotional support dog. He spent \$1200 on medical visits and had 3 letters from his doctor before they backed down. He said he felt singled out because he had been verbal about the situation and it was mentioned in the newspaper. Bill reminded everyone that retaliation by park management is explicitly forbidden by Florida statute.
- **Statement of Dispute** – Bill reiterated that we need 51% of park homeowners to sign the amended Statement of Dispute. He urged everyone to sign and to help out with getting signatures. He also said that we will need funds for our legal actions and asked for donations in whatever amount could be spared.
- **Question asked** – *What has the lawyer done to earn the payment we've made?* Bill explained that the lawyer got the tax pass-through rescinded. We were a few days away from mediation and the Wynne's backed off the plan because they knew they wouldn't win. They did not do it out of the goodness of their hearts.
- **Shutters** – One person asked everyone to spread the word that keeping storm shutters down/on is very unsafe. It is against code and can be life threatening if firemen can't easily get into a house to rescue someone.
- **Signs at the entrance** – Another person complained about the signs at the entrance being very unappealing and making our park look like a “trashy trailer park.”

Announcements

- 50/50 Raffle – John Miele won \$47 and graciously donated it to the HOA
- Bill thanked everyone for coming and noted that the next General Membership Meeting will be on Thursday, February 3rd at 7 PM.

Adjournment

- A motion to adjourn at 8:20 PM was made by John Pierce and seconded by Ernie George.

Respectively submitted,
Susan George, HOA Secretary