



COMMUNITY PERSPECTIVES

OFFICIAL NEWSLETTER OF THE COLLIER COUNTY PRESIDENTS COUNCIL

Volume 1, Issue 3

October, 2013

BEWARE THE ILLEGAL ADD-ON

Newcomers to Paradise, perhaps looking for retirement property, are most often unfamiliar with the State Statutes, County regulations, Deed Restrictions and the need for permitting just about any change. They purchase a property maybe in a developing community and most probably want to make changes which could include an add-on to an existing structure, which is where they run into the many regulations which guide our lives.

It is also possible for the unwary to buy into a property which the previous owner altered with an add-on that was not properly permitted or documented and find themselves as new owners held responsible for all the grief imaginable in the liabilities incurred by such actions.

These may be seemingly small such as conversion of garage or lanai space to living space and the unwitting buyer may find to their dismay that they have to tear down the conversion at their expense. Such expenses can include architect fees survey, impact fees and final appraisal, as well as permits, always assuming the changes are permissible.

Then of course there is the issue of any violations of the Deed Restrictions contained in the community association

documents which will most probably attract additional compliance issues.

A good Realtor should of course be alert for such problems and provide proper counsel to their clients but unfortunately not all realtors are that conscientious.

Given that the current owner of record is always held responsible it clearly pays for any buyer to take all precautions available to avoid falling into this situation.

Collier County offer a service to would be buyers that details the property description as recorded officially in the county records. These may be requested prior to any purchase agreement by contacting the Collier County Property Appraiser's customer service line at (239)252-8141 and requesting the property record card.

A requestor needs certain information but essentially the physical property address and the folio number if available will enhance the turn around of the property record card.

This information will provide a basis for comparison with the property being examined and any discrepancy will show up as any addition that is not recorded in the county records.

As always, this is a clear case of "Buyer Beware." In this case what you don't know may hurt you!

Inside this issue:

Illegal Add-ons	1
The CCPC Chairman's Column	2
Presentations	2
Neighborhood Watch	3
House Bill 7119	3
The Bear Invasion	4

Special points of interest:

- Neighborhood Watch?
- Passidomo Presentation
- House Bill 7119
- Bears invad Collier County

THE CCPC CHAIRMAN'S COLUMN

Normally this space contains wise words from our Chairman, Mr. Paul Feuer. Paul has unfortunately suffered an unprecedented sequence of personal tragedy resulting from the loss of his wife and step daughter followed by a severe accident to his grandson and as a result has been unable to become fully engaged in the activities of the Council. He has been working behind the scenes despite this and wishes to thank all who have sent their prayers and good wishes to him and his remaining family.

Paul is dedicated to growing the CCPC. He realized the value of the organization when he chaired the committee covering cable services in a field where growing technologies are providing many opportunities to break away from the constipation of a single supplier. By working together we can make a huge difference in the direction these technology corporations are heading, particularly as it affects the envi-

ronment that we work with in managing our communities.

We need new members as well as the faithful current members and to that effect Larry Baytos has stepped up to the challenge of growing our mem-

bership. There is a lot of truth in the old saying "the more the merrier." Membership is every-one's objective." Ask your friends and community management acquaintances if they have any knowledge of our Council and if not, twist their arm a

little to become members. Larry is always available to help new members, just a phone call away at (239)592-1398

The strength of any organization such as ours is in its members. We are able collectively to influence the powers that be, or may be, to become educated in the problems and issues we face as we maintain our communities and keep them viable.

Members are encouraged to share their successes and the things that perhaps did not work as planned.

RECENT PRESENTATIONS

We were fortunate to have as our July speaker none other than Representative Kathleen Passidomo. Her lively presentation was one not to miss!

She enlightened us all on the challenging issues facing the Florida Legislation during the 2013 sessions, issues such as election and ethics reform, education reform, pension reform and the complex issues of the impending Medicaid expansion all within a very shaky economic environment.

Not least of these activities was the outstanding implementation of House Bill 87, dealing with Foreclosure Reform, a bill she has been diligently working on over several sessions to finally have it signed into law by Governor Scott and effective from last July 1. Florida had an archaic foreclosure process that was a lengthy, frustrating and time consuming process, more than double the National average which has created an unprecedented foreclosure crisis from which we have all been suffering. This has had a big negative impact in our communities, clogged up our court systems and impeded Florida's economic recovery.

This new law will require lenders to produce mort-

gage or proven evidence of loan ownership and will significantly reduce fraud which has resulted from robo-signing practices, shortens the time a lender can sue a borrower for any outstanding loan amounts after the lender sold the property, from five years to one. Included are revisions to streamline the judicial process for foreclosures and, importantly, allows community and condominium associations to request the courts move a case along when there are delinquent assessments due.

The bill also provides certainty and protection for good faith purchasers who acquire a property after a final judgment of foreclosure.

Representative Passidomo also gave us valuable insight into the workings of the Legislature as well as a comprehensive overview of other activities, not least of which was the budgeting process.

CCPC applauds the efforts of Representative Passidomo and her colleagues in the Legislature in the passage of HB 87, a singular example of what can be accomplished once our elected officials work together in a common cause.

NEIGHBORHOOD WATCH

The negative publicity of events which occurred in Sanford, Florida has cast a cloud over Neighborhood Watch activities in all of our communities. The facts as reported have been autopsied in the national press in and out and upside down but essentially emphasize one major point about neighbors keeping their eyes open which is that civilians should never confront an entity that could be described as a suspicious person or persons.

Belonging to a Neighborhood Watch organization does not confer any special privileges on our members who so graciously volunteer their time and efforts.

Collier County is blessed with possibly the best Sheriff's organization in the state. They are responsive not only to emergencies but go to extraordinary lengths to follow up on civilian reports of unusual activity, persons out of place or scanning homes with perhaps evil intent.

It is the sheriff's job to approach these persons and make decisions on their intent and our job is to ensure that we utilize the services provided by our taxes with a timely, early call to the sheriff's office with details of our suspicions so that the sheriff stands an excellent chance of interrogating and perhaps detaining a suspicious person within our communities. Most often these situations are someone planning a quick burglary opportunity from perceived vacant premises. Such incidents can often be forestalled by early reports to the Sheriff by a swift call from an astute observer. Perpetrators can get violent if confronted. Leave confrontation to the Sheriff!

This is not a 911 call. 911 should be used only in an emergency situation. You will find the sheriff's office very willing to listen to your suspicions and take action by calling the non-emergency number

252-9300.

Call early to give the sheriff as much time as possible to respond before that suspicious character has a chance to get away.

Don't leave the call until tomorrow! It's far too late.

HOUSE BILL 7119

In the mix of bills passed into law on July 1 was HB 7119 which made some changes to Florida Statutes, Chapter 720 which deals with Home Owner Associations. It cleans up some ambiguous wording and adds new regulations and brings regulations for HOA's closer to those of the Condominium Associations.

Clarification of the management of official records that requires them being kept for seven years and the rights of members to make copies with a range of possibilities given the proliferation of technical devices is well worth studying.

Legal reporting requirements to the Division of Florida Condominiums, Timeshares and Mobile Homes by November 23 are also worthy of examination.

Directors of HOA Association will now have to conform to the requirement which has previously been required of Directors of Condominium Associations to sign certification to the effect that the director has read the associations declaration of covenants, articles of incorporation, by-laws and current written rules, policies and procedures pertaining to their specific association and will swear to uphold such documents to the best of their ability as well as discharging their fiduciary responsibilities to the associations members. Certification is required no later than 90 days after election or upon being appointed to a board.

Other elements of the changes impact insider contracts, rules in handling any embezzlement or theft of association funds, advance nomination for Board positions negating floor nominations at annual meetings and the rules for associations foreclosing to protect assessment payment. This last is accomplished by a change in the statute wording that now reads that the term "previous owner" does not include an association which acquires title to a delinquent property through foreclosure or by deed in lieu of foreclosure.

Once the property is sold and the new owner takes title, they are responsible for any assessment which may have accrued before the association took title.

Collier County Presidents Council
P.O. Box 8853
Naples FL 34101

E-mail: ccpcnaples@gmail.net

Newsletter input: Fred Rogers : 239-353-4458 or
Email to frog@doulaman.org

CCPC EXECUTIVE

Paul Feuer	Chairman
Robert St. Cyr	1st. Vice Chair
Gordon Nicholson	2nd. Vice Chair
Charles Weyl	Treasurer
Bob Murray	County Affairs
David Trecker	State Affairs
Fred Rogers	Strategic Planning
Larry Baytos	Membership

We're on the web!

www.colliercountypresidentscouncil.com

BEARS INVADE COLLIER COUNTY

Recent reports indicate an unusual number of wild black bear sightings throughout the county. One community reports a female bear with two cubs roaming the streets late at night, upsetting trash cans searching for food and ripping open Lanai screens to get at succulent plantings. Our pictures show a cub exiting from an owners pool having taken a cooling dip and a torn screen to gain access to a ripening pineapple. Authorities have been criticized for

euthanizing wild bears in similar invasions but whilst these animals may look cuddly the fact remains that they can be extremely dangerous and are best avoided. They can and do roam over a wide range of country and many sightings are a one time incident. Unfortunately, there have been reports of people feeding them, which is illegal and which only encourages them to come back. If you take your dog out last thing at night be very careful they do not provoke an attack.

