



Homeowners' Associations

How Do They Work?

- All Homeowners Associations (HOA's) have a fiduciary responsibility to all homeowners. They act as a guardian, morally bound to support or defend.
- An HOA is not a social club. It is a legal management entity representing all homeowners. Several activities can still be enjoyed (pot luck, dinners, bingo, yard sales, parties etc..).
- The HOA board is elected democratically by its' members. Therefore, the board answers to its members and not the reverse.
- Every HOA board member should have his or her copy of the FMO Homeowners Association Manual. All manuals, statutes, etc. stay with the board and are passed on to the newly elected board members.
- An HOA must insure that every homeowner is knowledgeable of their park owner's rights and the rights and privileges of themselves. An HOA should encourage every homeowner to have his or her copy of Florida Statute Chapter 723 and their prospectus. Do you have your prospectus?
- An HOA should have homeowner meetings to review the provisions stated in F.S 723 and their prospectus. FMO can assist in this training.
- Homeowners should always maintain membership in their HOA, in both good and bad times. If you choose not to be a member, you cannot vote or speak at general meetings. The HOA board can and will make decisions affecting you.
- An HOA's duty is to investigate, intervene and represent any homeowner if in conflict with park management.
- An HOA has a right to negotiate with the park owner or his manager, but must never conjoin or form a partnership to the detriment of the homeowners' rights and privileges. A park manager does not manage or dictate operations of an HOA.
- HOA "Statutory" or rent committee must be present and available when the annual rent negotiations are presented.
- Be watchful. Do not allow anyone to split a park into opposable factions. Many problems are due to money or control. Settle differences democratically.
- A quorum of HOA board members must be present to resolve any decisions.
- An HOA as a legal entity, has numerous powers and protections for homeowners. An HOA is responsible for the legal conduct of organized park activities.
- It is imperative for your HOA to build their own legal fund for security.
- Be kind to each other and work for the betterment of your community

There are countless reasons for having an HOA. If there is any slight chance of future park conversion, it is vital that you have an association in place before the process begins. It is REQUIRED, per Chapter 723, that the following be done:

- **Association must be incorporated pursuant to Section 723.075(1) F.S.**
- **Articles of Incorporation must be in compliance with Section 723.077 F.S.**
- **Bylaws must be in compliance with Section 723.078 F.S.**

YOU MAY LOSE THE RIGHT OF 1ST REFUSAL IF YOU ARE NOT A PROPERLY FORMED HOA!!



HOA By-laws Should Include:

- Mission statement
- Ethics statement
- Oath of office