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ELLYN BOGDANOFF

DECEMBER '05 SPECIAL SESSION UPDATE

Article by Eric Berkowitz

On December 12th, several Galt Mile Community Association officials enjoyed the company of Representative Elyn Setnor Bogdanoff at a luncheon meeting at the Tower Club in Fort Lauderdale. Elyn is the District 91 Statehouse Representative, which includes the Galt Mile neighborhood. Following a January 2004 victory in a Special Election to fill the House seat vacated by Connie Mack IV, Elyn has ably represented the shoreline district running from Hollywood in Broward to Boca Raton in southern Palm Beach County. From that first partial term through today, Elyn has always been appointed to important and influential committee assignments by several House leaderships. Despite a voluminous accumulation of Public Service accolades and a weighty list of active affiliations, Tallahassee presents a unique challenge to new members; a mandatory learning curve the length of which varies with the member's adaptive abilities. Fortunately, Elyn is a quick study. During her two years, she has successfully networked the House, forming useful alliances and an impressive access directory.


Elyn spoke to some of the issues whose prominence exploded with the advent of Hurricane

Wilma. She agreed that the community's attention to better protecting itself from the effects of future storms is well placed. The retrofitting of older buildings with code-compliant windows and doors, despite the onerous cost, is necessary for their survival. She discussed some of the efforts pursued by the State to encourage homeowners to protect themselves. The Department of Consumer Affairs mounted an internet promotion explaining to residents how they should address the vulnerabilities in their homes. The Florida Department of Community Affairs web site describes the premium rebates available to homeowners who lessened their exposure by installing hurricane resistant improvements. This segued to an impending insurance dilemma stemming from the effects of the recent hurricanes.

The cost of insurance has skyrocketed. The storms undermined market forces that generally moderate insurance costs. Two consecutive years of having their financial bells rung have induced carriers to abandon the Florida market at an alarming rate. Presidents Council Chair Pio Ieraci asked Elyn, "What can be done to stem the exodus or otherwise restrain runaway premiums?"

Continued on page 4

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FEMA...Continued

private coverage or other aid programs are eligible for the assistance. However, insurance deductibles are not covered. Individuals and business owners who are ineligible for a FEMA grant may apply for a U.S. Small Business Administration loan to cover disaster-related losses. Unlike FEMA grants, loans from the SBA must be repaid. The first step in applying for aid is to register with FEMA. To apply for a FEMA grant or SBA loan, visit www.fema.gov or call 800-621-3362. The telephone number for the SBA Customer Service Center is 1-800-659-2955 and their web site is www.sba.gov.

The negligible turnout by Associations is understandable given the repeated denials for aid to Association applicants in the past. Fortunately, when the Regency South President realized the nature of the opportunity being offered, he set aside his doubt and decided to go for it. While the outcome will remain cloudy throughout the processing period, if successful, Garland Warren will have spread the painful assessment over the projected repayment timetable. While demonstrating to his Regency South neighbors that his selection as President was no mistake, Garland Warren also drew a road map for neighboring Galt Mile associations facing similar financial strain. Interested Associations need only follow his lead. Eligible unit owners can apply for available grant money. The clock, however, is ticking...

 **The Galt Mile News**

The Galt Mile News is the official newsletter of the Galt Mile Community. Published 12 times a year, this publication is designed to educate the Galt residents of neighborhood-oriented current events and issues, and to offer residents Galt-specific discounts from various local merchants.



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THIS MONTH AT-A-GLANCE

FEB/MAR 2006

SUN	MON	TUE	WED	THU	FRI	SAT
12 Broward Home Design & Remodel Show Coconut Grove Convention Center Through 2/15	13 Wicked! Broward Center Tix.: 954-462-0222 Through 2/19	14 Heat vs Orlando American Arena 7:30 p.m. Tix: ticketmaster.com	15 Noon Toons Stranahan Park 11:30 to 1 p.m. Tix.: 954-8285363	16 GMCA Advisory Board Meeting Pa DeGennaro's 11 a.m.	17 Young Artist Music Series Bonnet House 7 p.m. Info.: 954-563-5393	18 Jazz at the Museum of Art Joanne Brackeen Trio 7:45 p.m.
19 Wilton Manors Home & Garden Show Wilton Drive	20 Vice Mayor Teel Pre-Agenda Meeting Beach Community Center 6 p.m. Info: 954-828-5033	21 Moonlight Musicale Fairchild Tropical Gardens Tix.: 305-667-1651	22 Noon Toons Stranahan Park 11:30 to 1 p.m. Tix.: 954-8285363	23 Jerusalem Symphony Orchestra Broward Center Tix.: 954-462-0222	24 Crawfish Boil Fairchild Tropical Gardens 7 to 11 p.m. Tix.: 305-667-1651 x 3358	25 Heat vs Seattle American Arena 7:30 p.m. Tix: ticketmaster.com
26 Afternoon Tea Fairchild Tropical Gardens 3 p.m. Res.: 305-667-1651 x 3391	27 Heat vs Toronto American Arena 7:30 p.m. Tix: ticketmaster.com	28	1 Noon Toons Stranahan Park 11:30 to 1 p.m. Tix.: 954-8285363	2 The Barber of Seville Broward Center Tix.: 954-462-0222 Through 3/4	3	4 Las Olas Art Fest Part II Las Olas Blvd. Through 3/5
5 Sunday Jazz Brunch Riverwalk, Downtown FL 11 a.m. to 2 p.m. Info.: 954-828-5985	6 Vice Mayor Teel Pre-Agenda Meeting Beach Community Center 6 p.m. Info: 954-828-5033	7 Ft. Lauderdale City Commission Meeting City Hall 6 p.m.	8 Panthers vs Ottawa BankAtlantic Center 7 p.m.	9	10	11 Waterway Cleanup 2006 9 a.m. to 1 p.m.
12 Rolling Stones BankAtlantic Center Tix: ticketmaster.com	13 Urban Outdoor Gourmet Market 1201 E. Las Olas Blvd. 9 a.m. to 3 p.m.	14 Heat vs Utah American Arena 7:30 p.m. Tix: ticketmaster.com	15 Tony N Tina's Wedding Broward Center Tix.: 954-462-0222 Through 3/26	16 Heat vs Boston American Arena 8 p.m. Tix: ticketmaster.com	17 Panthers vs NY Islanders BankAtlantic Center 7:30 p.m.	18 Jazz at the Museum of Art Roseanna Vitro & Her Trio 7:45 p.m.

A look ahead

- March 22 Carmen Broward Center., Tix.: 954-462-0222
- March 24 Romeo and Juliet Broward Center., Tix.: 954-462-0222
- March 31- April 2 International Orchid Festival Fairchild Tropical Gardens, 9:30 a.m. to 4:30 p.m.
- April 20 Clueless on Las Olas benefiting Partners In Education Las Olas Blvd.

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Ombudsman...Continued

Upon enactment, Governor Bush asked the Legislature's Senate sponsor to recommend a candidate for the Ombudsman position. Senator Campbell recalled a physician and attorney whom his law firm had hired right out of law school to analyze medical malpractice issues. Occupied with a full plate, the Governor hastily assigned Dr. Virgil Rizzo to the post. He realized that he might have acted precipitously when several dozen of Dr. Rizzo's neighbors at the River Reach Condominium organized a press conference wherein they described him as a "disruptive" individual unfit to lead the state's condo mediation efforts. Evidently, Dr. Rizzo had been waging a war against his own Association for some years, as part of which they are suing him for libel.

Since then, Rizzo has graced the media with an assortment of colorful recommendations and opinions. During a February Town Hall Meeting in Plantation, the "neutral" Ombudsman said, "I need money and personnel... to put the handcuffs on the bad people." When interviewed by a Sun-Sentinel editorial board member, he stated that because condo owners rarely read their condo docs, he would recommend that the Legislature create "a uniform set of covenants, by-laws and procedures for everything." His new Condo Docs would be applicable to every Association, notwithstanding its size or composition. When the interviewer pointed out that six-unit condominiums face different issues, problems and obstacles than Associations comprised of hundreds of units, he responded enigmatically, "There isn't any difference between the large ones and the small ones."

In June, he proposed a formal set of recommendations for enactment by the Legislature. They included reinstatement of almost every provision excised by the House committees reviewing Representative Julio Robaina's failed "Condo Killer" legislation. He recommended removing an association's right to self-determination with regard to financial

reporting, election procedures, contracts and term limits. He again requested the expensive police powers repeatedly denied him by the legislature. In August, Dr. Rizzo stated regret at being precluded from "taking a baseball bat" to association members that file liens to protect the members' assets. To clarify his authority, he asked Florida Attorney General Charlie Crist if "the Condominium Ombudsman has the authority to impose a civil penalty individually against any officer or board member who willfully and knowingly violates... an order of the Ombudsman." On September 22nd, the AG responded, "The statute specifically states that it is the intent of the Legislature that the ombudsman act as a neutral resource for the rights and responsibilities of unit owners, associations, and board members. While the statutes provide for the ombudsman to make recommendations and assist condominium owners and boards, they do not authorize the ombudsman to issue orders or impose penalties or to initiate legal actions..."

To herald in the Holiday Season, Dr. Rizzo seems to have stepped up the immoderate rhetoric. Associations recovering from Hurricane Wilma reopened an ongoing debate about the advantages and disadvantages of fully or partially funding reserves in view of anticipated stiff emergency assessments. Homeowners in Associations with adequate reserves weren't hit nearly as hard as those whose survival is contingent on special assessments. In some cases, the availability of reserve funds served as the determining factor between recovery and a red tag. As if to punctuate his litany of pronouncements prejudicial against board volunteers, instead of weighing in based on which proposal would best address the needs of the homeowner, he stated, "I'm against reserves, it puts money into coffers that directors can [illegally] get into." It is remarkable that the man charged by the State to be a neutral, unbiased resource freely expresses such rank prejudice.

Continued on page 21

JUST SOLD

Information provided by Eastside Properties, 954-565-7644

Twelve more properties were sold in the Galt Ocean Mile Community:

- | | |
|---|---|
| L'Hermitage #807D
(3/2.5)
\$1,015,000 - closed 12/2/05 | Regency South #1603
(1/1.5)
\$349,000 - closed 12/2/05 |
| Plaza South #8J
(2/2)
\$600,000 - closed 12/30/05 | L'Hermitage #305
(2/2)
\$850,000 - closed 11/29/05 |
| Fountainhead #9D
(2/2)
\$562,000 - closed 11/15/05 | Playa del Sol #210
(1/1.5)
\$525,000 - closed 11/30/05 |
| L'Ambiance #PH2504
(3/4.5)
\$1,750,000 - closed 12/8/05 | Playa del Mar #504
(1/1.5)
\$380,000 - closed 1/9/06 |
| Coral Ridge Towers #1211
(1/1)
\$185,000 - closed 1/4/06 | Regency Tower #311
(3/2.5)
\$720,000 - closed 11/29/05 |
| Riviera #1002
(2/2)
\$547,000 - closed 12/16/05 | Southpoint #910S
(2/2)
\$600,000 - closed 12/30/05 |



Ellyn...Continued

Rose Guttman, looking to past FEMA activity for direction in a quest for allies, stated that Terrorism has recently been responsible for several catastrophic events. The World Trade Center tragedy in New York and the Oklahoma City bombing evidence the national scope of Terrorist-caused catastrophes. Given the nationwide exposure to these heinous criminal acts, "Every state should share an interest in having available an insurance entity capable of addressing the costly damage," said Guttman.

Mr. Ieraci pointed out that "Homeowners and their representative associations aren't a well organized voice in Congress and State Legislatures." Pio asked Ms. Bogdanoff which organizations with strong lobbies share our concerns. She responded, "The Real Estate community and supporting industries are also seriously impacted by runaway insurance costs." In particular, "The resulting depression in mortgage banking activity should stimulate the support of powerful banking interests." Influential Real Estate and Banking lobbies could effectively align support for a national disaster insurance program.

While establishment of a Federal program would effectively address the insurance threat, it may take years to achieve enactment. It appears as if we will be forced to face this problem immediately. Currently, there is only one remaining rated carrier available to address windstorm damage aside from Citizens. Should they bolt, we would be forced to consider unconventional alternatives. These could include tailoring Citizens to better address the new threat, formation of Insurance Captives and/or various other self-insurance formats. Ms. Bogdanoff promised to update us as these issues are further considered in Tallahassee.

Our Representative also briefly addressed the "slots" issue. Ellyn claims a moral objection to gambling; she's concerned with potential addiction and the impact that the additional traffic will have on local public and social services. She said, "I'd rather not have my home defined by the type of problems that often accompany legalized gambling." Her constituents' reaction to slots has been mixed, with residents and businesses weighing the drawbacks against the potential economic windfall. Rose Guttman answered, "People are going to gamble anyway and currently the State receives no benefit from that activity." She continued, "Losing all that gambling tax money to junkets and places like the Seminole Hard Rock Hotel & Casino is shameful." Ellyn explained, "While everyone is entitled to their personal opinion about the issue, it was important to establish legislative guidelines to regulate the activity. We had to guarantee its continued legitimacy and determine the appropriate and relevant financial distributions. My interests included protecting local taxpayers from having to foot the bill for the additional strain on our public services brought on by an influx of gambling-related traffic."

At the December 2005 Special Session, the Florida Legislature finally enacted those guidelines. House Bill SB 1B and companion Senate Bill SB 4B, sponsored by Frank Attkisson in the House and Bill Posey, Steven Geller and Lee Constantine in the Senate, authorized Class III Las Vegas-style slot machines, limited the number of machines that may be operated at a facility to no more than 1,500 per facility, and imposed a flat tax of 50% on slot machine revenue. Slot machine gaming may be conducted

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FEMA...Continued

Evidently, FEMA computers haven't as yet been programmed to accept applications from Associations. Jim Homstad, Orlando-based spokesman for FEMA, explained, "An elected member of an association's board must apply on behalf of the association. If qualified, associations would be referred to the Small Business Administration for low-interest loans." The loans could provide relief to condo owners from potentially huge one-time special assessments addressing storm damage. Homstad also recommended that individual condo owners with uninsured damage to their interior property, such as furniture and carpeting, should also apply. He suggested that homeowners should apply whether or not they wanted loan money. He elaborated, "Just because you apply doesn't mean you have to take the loan, but if you don't apply you may not be eligible for any government money." Associations that qualify will be directed to the Small Business Administration, where they will be considered for low-interest loans.

It suddenly dawned on the FEMA think tank that if FEMA officials weren't aware of this benefit, neither were the thousands of Associations and individual unit owners throughout the state whose experience didn't include reading the morning paper. On Friday morning, January 6th (the day after the application deadline), SBA - which makes loans to businesses, including associations - announced a deadline extension of seven additional days for condominium and homeowner associations. The Federal Emergency Management Agency - which provides grants to individuals, including unit owners - has extended the time individuals can apply for grants until Monday, January 19th. SBA spokesperson Gus Fernandez in Atlanta stated, "The SBA, aware that all federal agencies haven't been providing the same information to callers, will accept loan applications if they're accompanied by a letter of explanation. The letter should indicate that they received the wrong information from another source and request consideration for their late presentation of the application." Explaining the reason for the extension, FEMA federal coordinating officer Justin DeMello said, "We want to make sure that every Floridian has had the opportunity to apply and receive the assistance for which he or she is eligible. Don't prejudge yourself, call and apply by January 19th."

Applications for SBA loans can be mailed to the SBA's Texas office at 14925 Kingsport Road, Fort Worth, TX 76155. The SBA has set a July 24th deadline for aid to offset the loss of business revenues because of Hurricane Wilma. Fernandez said, "The deadline is later because businesses need time to show the loss of revenue." Despite the SBA's approval of 588 loans worth \$33.5 million in Florida for Wilma recovery to date, they strongly recommend that condos and homeowner associations also apply to banks and alternate funding sources. After enduring a three to four month processing period for low-interest loan money, an application denial could send an unprepared Association back to the drawing board. Taking advantage of alternate funding sources could help avert the consequences attendant to putting all of one's eggs in SBA's basket.

The types of AID available are rental assistance, repair grants, small business loans and housing placement. People without insurance or whose losses are not completely addressed by

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Ombudsman..Continued

This created a dilemma. In apartment buildings, organizers could appeal to the tenants to pressure their landlord into unionizing the residence. Apprehension about potential negative publicity was often enough to elicit the landlord's cooperation. Unlike apartment buildings, the employers in Condominiums are the homeowners. Unions foraging for replacement income faced the awkward task of convincing homeowners that their employees needed protection from them. If they could isolate those residents that serve on the Association's volunteer board from the residents that elected them, they would have a viable straw dog. They could assert that while homeowners are fair, their boards aren't.

Condo owners didn't buy it. While some Associations evidenced the deficiencies sought by the union, the vast majority of elected volunteers comprising condo boards have proven responsive to the owners' interests. These amateur democracies have been so successful that condos have surpassed single family homes in popularity throughout South Florida. The prospect of relinquishing control of their homes to an outside business interest conflicts with the reason that many homeowners originally opted for the representational self-governance inherent in condo living. To adequately support their "unfair employer" scenario, the union needed deeper divisions within the Associations and enough dissention to create an intolerable work environment. They allied themselves with groups of disgruntled condo owners with little in common save their disappointment with some rule or decision made by their respective Associations. They also invested in several "legislative prospects" campaigning for State office. By sponsoring harsh regulations designed to wrest control of Associations from elected homeowners and otherwise disrupt Association operations, the legislators will have satisfied those campaign "investments".

When Virgil Rizzo showed up to work and requested his operating capital, the Division gave him a \$103,000 initial budget - which

included his \$65,000 salary. Annualized, he will receive \$177,000 and a fully-equipped Tallahassee office location. Section 718.5012, F.S., of the Condominium Act describes the Ombudsman's duties and responsibilities. He is supposed "... to act as liaison...", "... to assist ...parties to understand...", "To monitor and review ...", "To make recommendations...", "To provide resources to assist ..." and "To encourage and facilitate..." Created to truncate litigation by promoting enlightened communications and education, his office would receive the modest capitalization adherent to accomplishing these functions. The legislators who promoted the revival of his office went ballistic.

He wasn't accorded the sweeping police powers his supporters envisioned. "He needs subpoena powers," exclaimed Miami Representative Julio Robaina, author of several ill-fated legislative attempts to hyper-regulate condominiums. Every piece of legislation in Tallahassee is subjected to several questions expressly designed to ascertain whether the legislation is consonant with the Governor's commitment to smaller, more efficient government. Determining taxpayer cost and whether a bill increases or decreases governmental regulation helps lawmakers gauge Administration support for their bills. A House of Representatives Staff Analysis revealed the cost of Robaina's bill, including investigating "violations of the statute and rules by individual owners," to be exorbitant. In addition to being unacceptably expensive, the "Condo Killer" bills aspired to heavily regulate how people live in their homes - a double whammy in Tallahassee. They died in committee. By attaching the remnant "Ombudsman provision" language to Senator Walter "Skip" Campbell's well-supported Senate Bill 1184 (a bill that otherwise helped condo owners) during the 2005 session's finale, Representative Robaina managed to backdoor the redundant entity. However, no funding was appropriated for the controversial office. In a "Wag the Dog" moment, the same Legislators who neglected to appropriate funds for the Ombudsman angrily claimed that the funding inadequacies were part of some conspiracy organized by the "status quo".

Continued on page 18

Homestead Exemptions...Continued

- Date of each owner's permanent Florida residence
- Date of occupancy for each property owner
- Social security numbers of all owners filing are required

Homestead Exemption does not transfer from property to property. If you had this exemption last year on another property and moved, you must file a new application for your new residence. Notify the Property Appraiser to cancel the exemptions on your former home. Property purchased during last year may show qualified exemptions of the seller. The sellers' exemptions will not carry over to this year; you must apply for your own exemptions!

The amount of the homestead exemption granted to an owner residing on a particular property is to be applied against the amount of that person's interest in the property. This provision is limited in that the proportional amount of the homestead exemption allowed any person shall not exceed the proportionate assessed valuation based on the interest owned by the person. For example, assuming a property valued at \$40,000, with the residing owner's interest in the property being \$20,000, then \$20,000 of the homestead exemption is all that can be applied to that property. If there are multiple owners, all as joint tenants with rights of survivorship, the owner living at property filing receives the full \$25,000 exemption.

Residents 65 years or older may qualify for the additional "Senior Exemption". Qualified seniors must have a total household adjusted gross annual income not in excess of \$22,693 (adjusted annually for inflation by the Department of Revenue) to be eligible for the additional exemption. This exemption must be applied for annually. While current exemption holders can apply by mail after January 1, 2005, first time applicants are required to apply in person.

IF YOU MISSED THE MARCH 1st DEADLINE TO FILE FOR A 2005 HOMESTEAD, Florida law allows for late filing until December 31. The Property Appraiser's office accepts late Homestead applications and helps taxpayers prepare the mandatory petitions to the Broward County Value Adjustment Board (VAB) for all eligible properties. To claim a 2005 Homestead, you must have purchased and moved onto the property prior to January 1, 2005, and meet certain other residency qualifications of having a Florida driver's license/ID card and a voter card (or declaration of domicile) showing the address. For a late application to be granted for 2005, you must file a petition in our office with the VAB accompanied by a \$15 non-refundable filing fee.

In addition to the eight local Property Appraiser's offices available to residents in Broward, the Broward County Property Appraiser's Office will conduct special taxpayer sign-up sessions for the 2004 Homestead Exemption and Senior Exemption at City Hall, the Beach Community Center, and various Homeowners and Civic Associations this November, December, January and February. As part of this Outreach Program, the Appraiser's Office will send Deputy Property Appraisers to the meeting locations to assist members and new area residents with their property tax exemptions filings.


Continued on page 10

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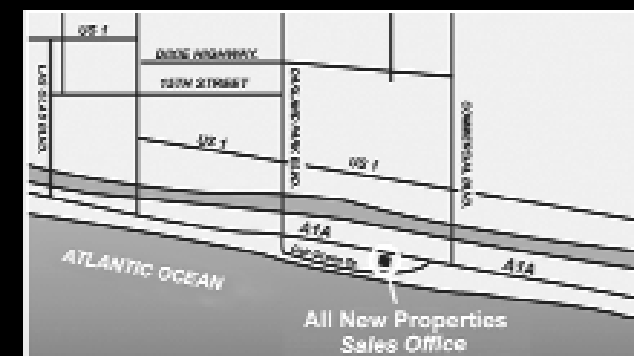
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THE HAPPY OMBUDSMAN

Article by Eric Berkowitz

During the 2004 Legislative session, a few Miami Legislators with designs on creating an assortment of condominium related business opportunities for certain constituent-donors, created a confusing rationale for reincarnating the Condominium Ombudsman. Claiming that the Department of Business and Professional Regulation's (DBPR) Division of Land Sales, Condominiums and Mobile Homes was so devastatingly inept – bordering on criminal negligence – they insisted they that an Ombudsman would somehow accomplish what the Division could not. The Ombudsman's Office mirrors some of the duties and responsibilities of the Division, sowing the seeds of a redundant agency. Condo owners now have two bureaucracies for the price of two.

Designed as a support agency, the Division was originally conceived to protect Condominium purchasers from attempts by devious developers to retain control of the Board for nefarious purposes. To preclude developers from continuously influencing Association policy through the use of "shell" candidates, regulations governing the behavior of condominium board volunteers were instituted. Under their mandate, the Division launched thousands of Condominium Associations throughout the State into unencumbered self-governance. Not conceived to police the behavior of unit owners, the Division was never appropriated the extensive financial resources required to settle arguments between feuding neighbors. Several intransigent owners, frustrated with the compromise consequent to condominium living, approached a few legislators with some novel ideas about "correcting" the problems they had with their respective Associations. The legislators saw an opportunity to kill two birds with one stone. Always on the lookout for a viable new re-election platform plank, they set out to "liberate condo owners" from their yoke of oppression. While accomplishing this noble rescue, they could simultaneously square some of their outstanding election "commitments".



PARTNERS - Ombudsman Virgil Rizzo, SEIU Local 11 Deputy Director Hiram Ruiz and State Representative Julio Robaina (at podium in SEIU t-shirt)

A Miami union that had fallen on hard times, Local 11 of SEIU, was desperately seeking new sources of revenue. Their National Union was built on organizing Building Service Employees. As new building management technologies lessened the demand for labor, the number of dues-paying members dwindled. Millions of apartment dwellers, long beholden to landlords for their residence needs, turned to new housing strategies – co-ops and condos. These vertical communities not only offered an appreciating asset, but also afforded them greater control over their home environment. Whereas the union could influence a landlord to cooperate, they were precluded from going into private homes to insist that the housekeeper pay union dues. The hybrid nature of these vertical communities imbues an Association of homeowners with employer status. To engineer access into this fertile new arena, Local 11 had to devise a marketing strategy designed to create a need for their "services". They needed an "abusive employer" from whom they could protect hapless hirelings.

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Ellyn...Continued

up to 16 hours per day year-round and players must be at least 21 years of age. The bill prohibits the linking of slot machines in one or more facilities to offer higher jackpots as part of a progressive game. The payout rate for each machine must be no less than 85 percent. An independent testing laboratory will ensure slot machines are operated in accordance with the requirements of the statute. The regulatory framework for all entities involved in the operation of slot machine gaming with regulatory responsibility was placed in the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation. To mitigate some of the adverse social ramifications for which Representative Bogdanoff expressed concern, the bill requires the division to contract with a private provider for a compulsive gambling prevention program and funds the program through an annual \$250,000 fee assessed each slot machine licensee.

Since no revenue is anticipated for FY 2005-06, a \$3.3 million estimated shortfall in local government revenue collections would be temporarily addressed with unencumbered cash from non-slot revenues in the Pari-mutuel Wagering Trust Fund. The money will be repaid from the approximately \$209 million expected to be generated in FY 2007-08 (as per the legislation's Revenue Estimating Conference). Ms. Bogdanoff's concern about the potential unanticipated costs to local taxpayers has been underscored by actions recently taken by the City of Hollywood. The municipalities that contain authorized facilities (Dania Beach for Dania Jai-Alai, Pompano Beach for Pompano Park Harness Racing and Hallandale

Beach for Gulfstream Park and the Hollywood Greyhound Race Track) will receive 1.7 percent of the local pari-mutuel establishment's gross revenue to offset additional strain on municipal services. Despite the absence of a local facility, Hollywood proceeded with an action to secure similar annual contributions from facilities in neighboring municipalities, claiming that their close proximity to Hollywood would impact the City's taxpayer funded public services. Hollywood is adjacent to Hallandale and Dania.

Ms. Bogdanoff works overtime to reach out to district voters. She maintains a "Hot List" of her constituents' email addresses who've requested that she keep them posted about the current session, certain special interest legislation or her overall legislative progress. She reviews every piece of legislation from a variety of perspectives. In part, she was elected to apply her stated personal and political values when evaluating a bill. In addition, she must anticipate how various components of her district will benefit or suffer from the effects of the legislation. Constituents also alert her to bills they have a stake in. This Chinese menu of individual interests requires an intense diagnosis of every session's legislative offerings. Ellyn Bogdanoff proves the adage that asserts, "If you want to get something done, give it to a busy person."

For additional information about this (and past) legislative sessions and some of the bills generated that affect condo owners, go to the Galt Mile Community Association web site (www.galtmile.com), click on "Issues" in the navbar and go to the Tallahassee section. Prior year's offerings are contained in the "Tallahassee Archives". •



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Homestead Exemptions...Continued

Beach Community Center (3351 NE 33rd Street) sign-up dates are:

Friday, January 20th - 10 a.m.
Friday, February 17th - 10 a.m.

Jarvis Hall in the L-B-T-S Town Hall (4501 Ocean Drive, L-B-T-S) sign-up dates are:

Thursday, January 19th - 11:30 a.m.

Note: For the Homebound, who cannot leave their home and need to file for Homestead Exemption, please call: 954-357-6830.

The Property Appraiser's Main Office at 115 South Andrews Avenue, Room 111, in downtown Fort Lauderdale (just south of Broward Boulevard) is always open weekdays from 7 am until 6 pm. The Broward County Property Appraiser maintains a web site at "http://www.bcpa.net".

The Property Appraiser's office has instituted a new Online Homestead Filing Program. While the Property Appraiser's Outreach Program is remarkably convenient for new filers, the internet-based program is even easier. You can save time, gas-money and avoid lines and crowds that assemble at the eight local Broward offices. Go to the Galt Mile Community Association web site (www.galtmile.com), click on "Homestead Express" (located in the BCPA part of the Broward County page in the Issues segment) and scroll down to the links at the bottom of the article to access the "Online Homestead Filing Program". Also, Broward County Property Appraiser Lori Parrish personally answers questions from Broward residents about every issue relevant to property taxes in her "Ask Lori" segment of the web site's Broward Page. If you have a question that isn't there, ask! Please contact Bob Wolfe of Media and Government Relations at (954) 445-5732 or by email at "media@bcpa.net" for further information.



Lori Parrish

FYI - Bob Scherer is no longer in charge of Condos and Coops in the Real Property Office. Scott Lewis is the Broward County Property Appraiser's new Condo Supervisor. Scott can be reached at 954-357-6893 or by email at slewis@bcpa.net.

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Homestead Exemptions

M A D E E A S Y

Article by Eric Berkowitz

All legal Florida residents are eligible for a Homestead Exemption on their homes, condominiums, co-op apartments, and certain mobile home lots if they qualify. The Florida Constitution provides this tax-saving exemption on the first \$25,000 of the assessed value of an owner/occupied residence. You are entitled to a Homestead Exemption if, as of January 1st, you have made the property your permanent home or the permanent home of a person who is legally or naturally dependent on you. The filing period for homestead exemption for 2006 is March 2, 2005 through March 1, 2006.

When filing an application you must bring the following items listed below, dated prior to January 1, 2006. All owners occupying the property prior to January 1, 2006 must file in person on jointly held property, other than husband and wife, who may file for each other, with the required documents for both (copies or originals). If you are married and the deed has different last names for husband and wife, a marriage license/certificate must be presented.

1. Proof of Ownership: Recorded Warranty Deed, Co-op Propriety Lease, Notice of Proposed Taxes or Tax Receipt, if in your name(s). A deed must be presented if the property is jointly owned. If the PROPERTY IS HELD IN A TRUST, A COMPLETE COPY OF THE TRUST AGREEMENT IS REQUIRED.
2. Proof of Permanent Florida Residence, ALL DATED PRIOR TO JANUARY 1, 2005:
 - Florida Voter's Registration or Recorded Declaration of Domicile - REQUIRED.
 - Florida Driver's License ("Valid Only in Florida" license is not acceptable) or Florida Identification Card - REQUIRED.
 - Florida Vehicle Registration - REQUIRED.
 - Non U.S. Citizen must bring permanent Visa (Green or Pink Card) or Political Asylum Documentation and Recorded Declaration of Domicile - REQUIRED.

Note: it is generally against the law for a Florida resident to drive in Florida with an out-of-state license or tag if he/she claims Homestead Exemption (Sections 320.37 and 322.08 of the Florida Statutes).

3. The State mandated application form requires the following information for all owners living on the premises and filing.
 - Current employers of all owners
 - Addresses listed on last I.R.S. income tax returns

Continued on page 9

A1A MARATHON – TAKE TWO!



Fort Lauderdale's Inaugural A1A Marathon, originally scheduled for November 12th, never happened. On October 24th, Hurricane Wilma rampaged through the race's intended course. The incipient hurricane damage, power outages and the mountains of debris along the beachfront selected as the event's backdrop left organizers little choice. They rescheduled the marathon for February 19th. Boca Raton-based Exclusive Sports Marketing, producers of the event, worked feverishly to meet their original timetable. While the city managed to clean up most of the route, the original host hotel – Marina Marriott – was unable to recover from storm damage in time to provide the required support.

When the race was rescheduled for February 19th, the Marina Marriott found itself sold out of available rooms on race weekend. The Renaissance Fort Lauderdale and Days Inn Bahia Cabana helped accommodate runners who lost their reservations. The Hyatt Regency Pier 66 at 2301 S.E. 17th Street in Fort Lauderdale will replace

the Marina Marriott as the new host hotel and the Bahia Mar at 801 Seabreeze Boulevard will serve as its finish line hotel. The Broward County Convention Center at 1950 Eisenhower Boulevard, also in Fort Lauderdale, will assume the Marriott's former status as host for the Health and Fitness Expo and packet-pickup site. The date is still in the heart of marathon season, after the December 4th Marathon of the Palm Beaches and the 10,000-runner ING Miami Marathon on January 29th. The delay gave organizers the opportunity to recruit additional runners and sponsors, including a title sponsor. Race organizers recently signed Wachovia as presenting sponsor, Nova Southeastern University as title sponsor for the one-day health and fitness expo at the Broward County Convention Center, and two-time Olympian Ronnie Holassie of Miramar as official athlete spokesman. Holassie is preparing for the April 17th Boston Marathon. At the U.S. Men's Half Marathon Championship in Houston, he finished 37th in 1 hour, 7 minutes and 18 seconds.

Since the A1A Marathon was certified by USATF (USA Track & Field), the race is also a Boston Marathon qualifier. The full Marathon Certification number is FLO5031DL, the Half Marathon Certification number is FLO5032DL and the USATF Sanctioning Number is 06-14-010. Qualifying times achieved at the A1A Marathon count toward eligibility for the 20,000-runner Boston Marathon. USA Track & Field (USATF) is the National Governing Body for track and field, long-distance running and race walking in the United States. USATF encompasses the world's oldest organized sports, the most-watched events of Olympic broadcasts, the #1 high school and junior high school participatory sport and more than 30 million adult runners in the United States.

Thousands of athletes from South Florida, more than 40 states and 12 foreign countries are currently signed up and preparing for Greater Fort Lauderdale's first major marathon. Marathon events kick off on President's Day Weekend starting with the expo at the Fort Lauderdale Convention Center on Saturday February 18th. Both the marathon and half marathon begin the next morning at 6:30 AM. The 26.2 mile race, organized by Exclusive Sports Marketing (ESM), will start at 6:30 AM at SE 10th Avenue on 17th Street. Participants will head east over the Causeway and Beach Front Avenue and turn north at State Road A1A past Las Olas Boulevard, Sunrise Boulevard and Oakland Park Boulevard all the way to the Hillsboro Pier. At Bay Drive in Hillsboro, runners will turn around, looping through Dover Road and Beacon Street before returning from whence they came. To enhance the Beach theme promoted by organizers, the northern leg includes several detours through local neighborhoods. To more closely hug the ocean, marathoners will zip over to El Mar Drive in Lauderdale-by-the-Sea and Pompano Beach Boulevard in Pompano Beach (at Atlantic Boulevard). The return trip (heading south) includes a detour through Hugh Taylor Birch State Park, then back to A1A south before exhausted finishers collapse on South Beach Park by about 12:30 PM.

Continued on page 19

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Regency South



GARLAND GIVES FEMA A CLINIC

Article by Eric Berkowitz

On Wednesday, January 4th, President Garland Warren of Regency South Condominium on Galt Ocean Drive perused his copy of the Sun-Sentinel. While reviewing his daily paper, he noticed an article that widened his eyes. A headline read, "FEMA changes policy, allows condo boards to seek hurricane aid". The article stated, "The Federal Emergency Management Agency is taking applications from condo associations needing financial assistance to repair roofs and other commonly owned property destroyed or damaged by Hurricane Wilma, reversing an earlier refusal to offer such aid." Garland smiled. The article continued, "But the application deadline is midnight Thursday night." Garland cancelled his Thursday appointments. He would be busy.

Early Thursday morning, Garland went to the Small Business Administration office at 300 NW 1st Avenue in Fort Lauderdale, just off Broward Boulevard. When Garland explained his intention to apply for a low-interest loan to local FEMA representatives, they looked at him as if he had two heads. They informed him that the assistance he described didn't exist. He showed them a copy of the article that he wisely brought with him. After some head-scratching, the supervisor contacted his Orlando Sub-Regional Office and FEMA headquarters in Tallahassee for clarification. Not surprisingly, Tallahassee FEMA officials were similarly perplexed. The local FEMA supervisor drew their attention to the

newspaper article explaining the benefit. Apparently, Garland noticed only one other Association applicant attempting to navigate the FEMA condo maze. Finally, they conceded that condominiums are eligible to apply for Small Business Administration (SBA) loan assistance through FEMA.

Consistent with typical FEMA surgical efficiency, they were unable to locate the proper format to create a case number. As such, the methodology ultimately deployed required Garland to open a case using his personal social security number. Once in possession of the case number, he approached SBA to apply for assistance for Regency South. They gave him the application papers which he will complete and return. "I still can't get over that no one in FEMA was aware of their own regulations," said Garland.

Federal Emergency Management Agency (FEMA) regulations have long precluded corporations from applying for assistance. Since the October 24th inception date for Hurricane Wilma applications, thousands of Associations applying for AID have already been denied adherent to this policy. Several weeks ago, FEMA adapted their policy to accommodate Associations, which are non-profit corporate entities. FEMA policy makers failed to alert federal, state and local FEMA operatives to this change. NOT to worry. Garland did it. He force fed the information through the FEMA chain of command as far as Tallahassee.

Continued on page 7

Marathon...Continued

Organizers are also recognizing the finishers of a 1?2 marathon - a 13.1 mile stretch that includes the first and last quarters of the overall course with the turn around located at the intersection of A1A (North Ocean Boulevard) and NE 36th Street by Coral Ridge Towers East. Mercifully, walkers will also be allowed to participate in the 1?2 marathon. They will be accorded the same finishers medal as the running finishers of the 1?2 marathon. Should they feel predisposed, they will also be welcome to collapse at the South Beach Park finish line

Runners, joggers, walkers, athletes and masochists are invited to register for the event. An online registration is available on the event's web site (www.a1amarathon.com <<http://www.a1amarathon.com/>>). Eligibility for the Inaugural A1A Marathon and Half Marathon is limited to anyone who has trained to complete the 26.2-mile or 13.1-mile distance in six hours. The Marathon is restricted to persons 16 years of age or older. 14 gender specific Divisions ranging from the youngest (16 - 17) to 80 and over will categorize finishers within appropriate groups. Non-registered runners, pacers/escorts, bicycles, inline skaters, dogs, or baby joggers are not permitted to participate. For the Full Marathon, registration costs are \$75 before February 17th and \$85 on site. Entry fees for the 1?2 Marathon participants are \$45 before February 17th and \$55 for procrastinators who wait to pay on site.

To insure the Marathon's structural integrity for runners and spectators, organizers have placed limits on the number of entrants for the two events. 2,500 entrants will run and walk the half marathon, and 1,500 entrants will be permitted to negotiate the full marathon. The race is limited to registered participants only. Aid Stations will be placed approximately at every mile marker and will offer water and sports drinks. Fewer stations will also include gels, oranges, and bananas. No Rollerblades, bicycles, skateboards, dogs or headphones are allowed. Non-compliance will result in disqualification. The Fort Lauderdale and Broward County law enforcement officers and court marshals will control traffic, but runners will still need to exercise appropriate caution.

Boca Raton based Exclusive Sports Marketing (ESM) was founded in 1986 by two brothers, President/CEO Steven J. Tebon and Dennis Tebon. The company promotes and manages a grass-roots sports niche market in Florida including triathlons and other fitness-related recreational sports. ESM has worked with corporate sponsors such as Publix Supermarkets, Coca-Cola, PepsiCo, Anheuser-Busch, Gatorade, Toyota, Buick, Nike, Sunshine Network, and Yamaha to host events in the Florida Keys, Abaco, Bahamas and major Florida markets. Their events allow everyday athletes to exhibit their prowess alongside top professionals such as Dave Scott, Scott Tinley, Scott Molina and Lance Armstrong. Since 1986, ESM has sponsored more than 500 events, including the Hess Express Pro Am Beach Volleyball Series and the Publix Family Fitness Weekend.

This Marathon could develop into an important annual Fort Lauderdale signature event. If run well, it could grow in prestige and scope - joining the well-respected swim meets, the Air-Sea Show, the Winterfest Boat Parade and other magnetic public events that entertain the local populace and fill community cash registers. If run poorly, it will be another drain on public resources and a Saturday morning source of Barrier Island road rage. The Organizing Committee includes Fort Lauderdale Mayor Jim Naugle and some prominent local business figures. The event will disrupt local traffic and businesses during its expected 6 hour run time. It sounds like fun. Galt Mile residents will be able to watch the event from their balconies or stroll down to A1A and get up close and personal. If you're up to it, register to run... or walk. If not - watch!

For more information please call 888-ESM-SPORTS, email a1amarathon@exclusivesports.com or log onto www.a1amarathon.com <<http://www.a1amarathon.com/>> •



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Ombudsman...Continued

In 2002, the Florida Legislature passed a law that combined the Florida Residential Property and Casualty Joint Underwriting Association (FRPCJUA) and the Florida Windstorm Underwriting Association (FWUA). This resulted in the creation of Citizens Property Insurance Corp. (Citizens) to serve the needs of homeowners in high-risk areas and others who cannot find coverage in the open, private insurance market. A serendipitous success story, this state-run insurer of last resort currently protects 800,000 coastal properties rejected by private insurers for full coverage. In 2004, Citizens incurred more than \$2.4 billion in losses, stemming from nearly 120,000 claims. The formula that Citizens depends upon for survival requires that the approximately \$516 million (actually \$515,490,314) shortfall be recaptured through a one-time assessment on property insurance companies statewide. The companies then file a request with the Office of Insurance Regulation to be able to add a one-time surcharge to their policyholders' annual premium. As such, the cost was passed to every Florida homeowner as a 6.8 percent premium adjustment.

Representative Bogdanoff reminded the group that the state has been actively negotiating with the insurance industry since the December 2004 Special Legislative Session called to address Hurricane problems. Backed by an Administration desperately seeking an adequate solution, Senate President Tom Lee and House Speaker Alan Bense formed the "Joint Select Committee on Hurricane Insurance" to identify the issues and develop recommendations.

The Insurance industry abates product costs by spreading the insured risk over a greater pool. A healthy balance of high and low risk customers keeps their products affordable. The punishing hurricanes suffered by Florida has served to skyrocket the State's high risk component. Our Representative suggested expanding the pool, something that could only be accomplished on the federal level. GMCA Secretary Eric Berkowitz said that, "One of the objections to FEMA is the lack of any incentive to control risk on the part of its beneficiaries. Congress is looking at a national model patterned on the Florida template. A national Cat Fund (Catastrophe Fund) and a national version of 'Citizens' could establish safety standards as prerequisite to being eligible for benefits - cutting the risk and, in turn, the cost." He continued, "While governmental attempts at competing with private industry are usually pathetic, Florida's Hurricane Cat Fund and "Citizens" seem to be exemplary." Pio Ieraci asked Ms. Bogdanoff, "Who can we look to for help with the creation a nationwide insurer of last resort." She suggested that other states prone to catastrophic events would make natural allies. The States lining the country's earthquake-prone west coast are no-brainers. Fortunately, they include California, the nation's largest single repository of electoral votes. Other states occupying the path of the Atlantic Hurricanes that battered Florida, including Texas, Alabama, Mississippi, Louisiana, and Georgia, would prove willing participants. Midwestern states along Tornado Alley should also throw in. Out of this potential core group, California, Florida and Texas carry heavy national political muscle. GMCA President Bob Rozema opined that while other states lining the eastern seaboard weren't affected to the extent of Florida and Gulf States, they are exposed to the increased hurricane threat.

Continued on page 7

Ellyn...Continued

In a blatant effort to promote a private anti-Association political organization, the Ombudsman misled hundreds of condo owners attempting to get information from his web site. Homeowners investigating the Ombudsman's new official web site (www.myflcondo.org) were offered a list of resources, ostensibly to help them investigate the factual basis for decisions involving condos. Of great interest to many homeowners is the Condominium Act, Chapter 718 of the Florida Statutes, which contains the laws governing condominiums. When they clicked on a link labeled "Florida Condominium Act, Chapter 718, Florida Statutes", instead of going to the official State of Florida web site containing the Florida Statutes, they were diverted to the web site for "The Cyber Citizens for Justice".

This is a private self-interest group comprised of a few hundred disgruntled homeowners with virulent anti-Association leanings. Their political agenda includes support for the Condo Killer bills and other legislation that erodes self-governance for Association members. Upon being surreptitiously redirected to the CCFJ web site, an admonishment appeared, "This is the Condo Act, very hard to read and quite boring." Hundreds of homeowners, angered by a "bait and switch" tactic being practiced at an official State web site, protested to the Governor, DBPR, legislators and other elected officials. Within hours of the scam's disclosure, the good doctor - one of the St. Augustine-based organization's original members - swapped out the bogus link and replaced it with one that correctly connected people to the official Florida Senate web site that offers the Statutes. When appointed to the Ombudsman seat, he appropriately severed membership in organizations whose political bias calls his neutrality into question. He has, however, appointed another CCFJ member as an election monitor, a service for which he recently charged an Association \$3000 to perform.

To sum up Dr. Rizzo's dream community as per his statements and actions during the past year, there would be no "naive" elected volunteers to represent the owners. Decisions and rules would instead filter down from Tallahassee, presumably his office. As he described, the rules would be the same for every Association, large or small, timeshare or standard. In view of his demonstrated antipathy to condo owners governing themselves, it isn't clear how an Association should contend with an issue not addressed in his one-size-fits-all regulations. Since Associations would be precluded from establishing reserves, all expenses will be addressed through special assessments - "pay as you go." Deadbeats will sidestep collection enforcement since no Association will be permitted to lien a scofflaw's unit for not paying their fair share. Other Association members will then have the option of paying the deadbeat's debt or doing without the service, repair or improvement for which the assessment was levied. For a percentage of the Association's labor budget - paid through employees as dues - a union official will decide who fills what position in your building and how much you will pay them. Life will be a continuous celebration of the joys of public housing.

In early December he exclaimed that Association members needn't focus on legal justifications prior to acting. In contravention of his mandate to examine the source of a conflict and recommend a resolution based on an objective application of the law, he proclaimed, "The most important issue before a condominium is whether the people are happy, not what's legally correct or what the attorneys think is legally correct." This statement is particularly confusing when juxtaposed with the long list of onerous condo regulations either recommended or supported by Dr. Rizzo. If the Ombudsman discards a legal basis for judgments, his subjective opinion will remain as the single critical guideline for decisions, recommendations and actions. Since the conflicts he is charged with resolving arise from differences in what makes people happy, how else will the Ombudsman decide which people deserve "happiness"? While our Ombudsman isn't the

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first public official to recommend substituting his opinions for legal parameters, his characterization of replacing the law with "happiness" is colorfully unique - a nice touch! Virgil, we wish you happiness, too. •

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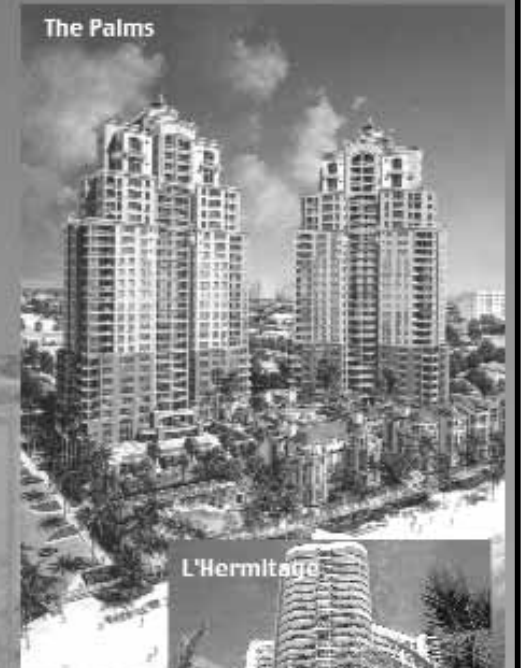
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