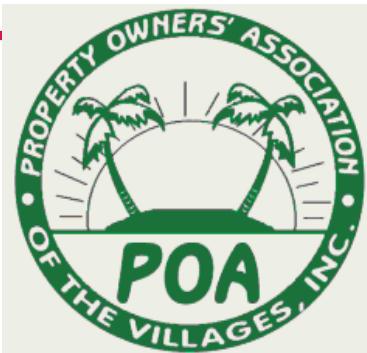


THE



Issue 42.05



BULLETIN

May 2016

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Champions of Residents' Rights Since 1975

The POA Website - www.poa4us.org

Meet the New Members of The POA Board of Directors

BOB ROVEGNO

Bob was born in Brooklyn, New York and resided there until 1953, when his family relocated to Levittown, Long Island, New York. His career history included becoming a Nassau County police officer in 1967 and being able to retire from the Detective Division, with his final three years in Community Relations.

After retirement, Bob became an entrepreneur, owning a Dunkin' Donuts store, an AAMCO transmission shop and a Ramada Hotel.

In 1990, he became a real estate broker in North Carolina and started a land development company. During his 22 years in the development business, he specialized in dealing with government authorities, zoning boards and legal issues, along with public concerns.

In 2012, he retired from full-time involvement in the company, but still remains a consultant to the company.

Bob and his wife Rosemary celebrated their 50th wedding anniversary last September. They have a son and daughter who both live in Charlotte, North Carolina. They purchased their first Villages home in 2006, a villa in Sable Chase. In 2012 they moved permanently to The Villages and in 2014 purchased their current home in Lake Deaton.

BOB TARASKA

Bob was born in New York City and went to the University of Puerto Rico where he earned his BSCE. He was hired by the Federal Highway Administration upon graduation and was on a three year training program. In this capacity he worked across the United States.

In 1971, he joined the Florida Department of Transportation where he supervised the construction of State highways in South Florida.

He retired in 1999 and started a career in

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Third TUESDAY of the Month - 7PM
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Construction Inspection of Highways and Bridges for several consultants. Bob has extensive experience in claims avoidance and analysis, as well as materials testing and construction. He has had a 48 year career and is now semi-retired.

Bob and his wife Telma moved to Woodbury in January 2011. He is an avid golfer with three holes in one. He plays golf almost every day and loves the outdoors. He and his wife love to travel and have been on many cruises all around the world. Bob has three

(Continued on page 2)

DEED RESTRICTIONS

**We All Have Them!
Do You Know What Yours Are?**

The February POA meeting featured Diane Tucker, Administrative Operations Manager for the District, who oversees the Community Standards Department (CSD), and Candy Dennis, who is the Administrative Coordinator of that department. Below are highlights of their presentation.

The mission of the CSD is to assist residents in maintaining and keeping the aesthetics of this community. The presentation was designed for residents who have been here for many years, but who are not familiar with the role of the CSD and second, to educate new residents.

Deed Restrictions are Declarations between the declarant (Developer) and the property owner. Through the document (a legal contract), the owners agree to certain standards of maintenance and aesthetic values, in order to

(Continued on page 2)

Meet New Directors

(Continued from page 1)

daughters and eight grandkids. They all live in South Florida. His wife also has three daughters with five grandkids.

BILL YELVERTON

Bill is from Binghamton, New York. Prior to his retirement, Bill served as 'clinical administrator' at the Binghamton Psychiatric Center, a large 'state operated' psychiatric facility. In this capacity, he was responsible for both inpatient and outpatient services. His clinical training is in 'psychiatric rehabilitation' and he held positions as Director of Rehabilitation Services and Chief of Mental Health Treatment Services for much of his career. He holds BS and MS degrees from the State University of New York at Cortland and Oneonta.

As a volunteer, he was a member of his school district's Board of Education, was the 'Training Director' for the Association of Retarded Children, and was a 'mental health counselor' for the American Red Cross National Disaster Response Team in his region.

Bill and his wife Helene have resided in The Village of Mallory Square as 'snow birds' since 2006, becoming 'full-timers' in 2011. They have been married 56 years; have two sons, two grandchildren, and very soon will have two great grandchildren. □

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Deed Restrictions

(Continued from page 1)

make the community as attractive as possible, to maintain or enhance property values.

The CSD is made up of two divisions - Deed Compliance and Architectural Review.

DEED COMPLIANCE – This department is tasked with educating residents as to what the **EXTERNAL** deed restrictions are and how deed restrictions enhance our community. When you purchased your home, and you closed on it, you received a huge stack of papers...the deed restrictions are buried in there somewhere. If you need assistance with determining the restrictions, you can give the CSD a call, (751-3912), or, they can also be found on the www.districtgov.org website. They are listed by district and unit number. The CSD will be glad to help you with any questions.

New residents are often unfamiliar with the deed restrictions placed upon their property and the importance of maintaining the overall aesthetic qualities desirable in a first-class community. Their first exposure may be when a Compliance Officer knocks on their door advising them of an inquiry the department received on their property. Often, the response of the resident is, "I'm sorry, I didn't know I had deed restrictions".

Each District (CDD's 1 - 9 and the Village Center District for the Lady Lake/Lake County portion of The Villages) has:

1. Adopted a Deed Compliance Rule;
2. Adopted **External** Deed Restriction Standards which clarify ambiguous terms in the Rule;
3. Entered into an interlocal agreement for the purpose of implementing deed compliance;
4. Entered into an interlocal agreement with the Village Center District to create an Architectural Review Committee (ARC).

Architectural Review and Deed Compliance for CDD10 is currently being processed by the Developer's representative. At the end of this year, they will qualify to come under the Districts Rule and the Board will have the option to adopt the Rule. It is anticipated that District 10 will adopt their Rule to bring about Deed Compliance and Architectural Review, with an implementation date of March 1, 2017

(Continued on page 4)

POA

Mission Statement

The Property Owners' Association of The Villages is an independent organization devoted to our home ownership experience.

The Vision/Objective of the POA is to make The Villages an even better place in which to live, where Residents' Rights are respected, and local governments are responsive to the needs and interests of residents.

The POA serves Villagers through programs of education, research, analysis, representation, advocacy, and legislative action.

The POA also functions as a "watchdog" organization overseeing the actions of our Developer and our local governments.

Specific POA attention is focused on housing, community, neighborhood, and local government issues. Special emphasis is focused on the Amenity Authority Committee (AAC), our Community Development Districts (CDDs), the Florida Chapter 190 law that regulates CDD operations, and our Developer.

The POA has no ties or obligations to the Developer of The Villages which might compromise the POA position or its advocacy of Residents' Rights.

The POA, founded in 1975, is the original homeowners' organization in The Villages. Membership is open to all Villages residents. □

The Villages Residents' Bill of Rights

RESIDENTS have RIGHTS to:

1. Be treated in a respectful, fair, and responsive manner by the Developer and our local government officials.
2. Have decision making authority for important issues in our community.
3. Elect our top government officials and approve appointments of the top administrative officials in our community.
4. Approve major purchases of common property and the related debt obligations assumed by residents.
5. Have local governments that are free of any conflict of interest issues.
6. Be charged honest monthly amenity fees that are used only for the stated purposes.
7. Receive full disclosure when purchasing a home here in The Villages.
8. Receive an objective market appraisal for major purchases of common property.
9. Receive objective, unbiased, unsolicited news reporting from local news sources.
10. Be informed beforehand by the Developer on any major change in our community. □

Deed Restrictions

(Continued from page 2)
and May 1, 2017, respectively.

Who Can Enforce Deed Restrictions?

The Districts, via adopted Rule (mentioned above), may only enforce certain EXTERNAL restrictions that have been adopted by each Board to enforce, as authorized by Chapter 190, F.S. When Chapter 190 was amended, back in 2009 to allow the District to enforce Deed Restrictions, all it did was add a third layer. The Developer and the property owner have always had the right to enforce Deed Restrictions. Any property owner of any lot may seek to enforce external and internal restrictions against another property owner. **The Declarant (Developer) may seek to enforce external and internal restrictions.**

Some residents ask, "What is an internal Deed Restriction?" A couple of examples

would be, having a child living in the home permanently, or someone running a business out of a home. If the CSD receives a phone call regarding anything that occurs within the home, they give the information to the Developer's representative to handle.

Enforcement Process Steps

1. Communication of possible violations are complaint driven and can be anonymous complaints. The Compliance Officers do not go out and search for violations. This position was adopted by all of the CDD Boards. Some people ask "Why is it complaint driven? Why doesn't staff go out and look for these violations?"

The Board of Supervisors are all residents within the District that they represent. They feel, as residents themselves, that if, for example, a neighbor had a lawn ornament and lawn ornaments are not allowed in the area, the Boards did not want the Compliance Officer to step in, telling a resident that they can't have something, especially if all the other residents have no problem with the lawn ornament.

So, the CDD Boards adopted an anonymous complaint driven system. Unless the complaint is in writing and you have given the CSD your name, there will be nothing in the log as to who made the complaint. You can call them or you can go to the District Office

to submit a complaint and simply provide the address of the offense. They will not ask you for your name or your address. **NOTE:** If anyone were to call to find out who made the complaint, if it's in writing and is signed, the District, by law, as it is a public record, has to give out the name.

2. Verification of violation. The Compliance Officer goes out that same day, or the next day, depending on when the complaint is received. They will go out and knock on the door. If the resident is there, they will communicate what the alleged violation is. Almost 99% of the residents will apologize, saying "I didn't realize I couldn't have that" or "I didn't realize I couldn't cut down that tree without approval". The officers do their best to communicate to the resident and, if possible, to clear the issue at that point. (i.e., Resident removes the lawn ornament.)

3. If no violation is verified, the case is closed.

4. If a violation exists, and no one is at the residence, then notification will be made by mail to the property owners at all known addresses and the officer will try to call them when he/she gets back to the office.

5. There could be up to three notifications, with the final notification advising of a

(Continued on page 5)

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Deed Restrictions

(Continued from page 4)

public hearing date for the case to be heard before the Board of Supervisors for that District. If the violation still exists, and they have had no response to any of the notifications, there will be a **public hearing**. Or, if the resident says they will not take care of the violation, then there will be a public hearing.

6. Based on timing, the process may take between 4 to 6 weeks.

The data for **Complaints and Deed Restrictions Written February 1, 2015 thru January 31, 2016**, follows: Of the total of 4,783 complaints, only 903 were written. That means that the officer communicated the violation and the resident took care of it, or there was no actual violation. Of the 903 written violations, only 16 went to public hearing. Of that 16, all were due to foreclosures or bankruptcies. In that case, the CSD works with the bank to try to bring the property into as much compliance as possible.

Community Standards Q&A With Ms. Tucker

1) What about the snowbirds, when they go home, the weeds grow up in their flower beds, and such? **A)** If we receive a complaint, we communicate with the owner at their away address. More often than not, they left here, leaving their landscaper in charge of maintain-

ing their property. When we have a rainy season, the landscaper gets overly busy and he says "They're not here, I can skip it this week". You know how quickly the grass grows in Florida in the rainy season. It only takes one week. We send pictures to the residents, they call back apologizing and they get a new landscaper.

2) Why is it that the bank doesn't have to follow the same maintenance rules that the homeowner would when the bank takes over the property? **A)** The bank is not the owner and is not bound by the contract that the owner signed. The bank becomes the owner when the property goes to auction and the bank takes title/possession. They are not required to do any of the maintenance, but we have been fortunate in getting many of them to partially maintain the properties.

3) Regarding children, under the age of 19, permanently living in the home, why is that turned over to the Developer? And, how can someone follow-up on the complaint? **A)** Chapter 190, F.S., does not give the District the ability for any enforcement inside of the home. If you are going to remodel your kitchen, you don't come to the Architectural Review Committee. We have no ability to control or enforce anything going on within the home. If you have something that is internal, you submit it to the CSD and it is turned over to the Developer's representative. Their attorney

sends a letter to the property owner, and we get a copy. We can provide you with any follow-up.

4) Could you talk a little bit about holiday decorations and how long they are supposed to be up? I see people putting up Christmas decorations on the first of November. Sometimes, they are up for 2 or 3 months. **A)** The Deed Restrictions state seasonal displays can be up for 30 days. If we receive an inquiry, we check the property. However, a lot of residents will say, "I put mine up on Dec 24th"; in this case, they have until Jan 24th.

5) My covenants discuss the issue of a nuisance. It states that you can only have 2 animals. Can you tell me about someone with 3 dogs and 2 parrots, in an open lanai? **A)** Historically, the Developer has the right, but not the obligation to enforce deed restrictions and

(Continued on page 6)

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Deed Restrictions

(Continued from page 5)

he has chosen not to enforce that particular restriction, unless the pets are a nuisance, such as a vicious dog. We do not have the ability to enforce anything because this is internal to the home, even with the open lanai. As a courtesy, Staff will go out and talk to the property own-

er. However, if it continues, we would suggest contacting animal control in the county in which you reside.

6) Can a District Board change a deed restriction? A) The District cannot change a restriction, but the District Board members can make a decision not to enforce certain Deed Restrictions. As an example, in regard to parking on the street, if it states in the Deed Restrictions that there is no street parking, a CDD Board can opt not to enforce it. But if it is not stated, then you can park on the street and the District cannot do anything about it.

7) Are Florida native plants okay, suffice for the 2 foot easement rule? If I took out grass, could I put in native Florida plants instead? They won't cause drainage problems and won't violate any rules? A) Yes, we treat Florida native plants like the sod, that can go all the way up to the property line, which does not affect the drainage.

(Continued on page 18)

SAFETY IMPROVEMENTS On The Multi-Modal Paths

You will recall that it took many, many months for the Multi-Modal Path Discussion Group (MMPDG), which consisted of one representative from each of The Villages residential District Boards and the Amenity Authority Committee (AAC) to come to a unanimous decision to support consistency of markings on the MMPs throughout The Villages. In lieu of center line or edge striping, they agreed to see if the engineers recommended striping and reflective pavement markings for medians, side obstructions, roundabouts, and geographically constrained areas on the multi-modal paths would solve the night time and rainy weather visibility issues.

Work began on these safety improvements in mid-April, starting in CDD4 in Marion County. Weather permitting, the complete project all the way down to CR44 is anticipated to be finished in late June or early July.

At its April 4, 2016, meeting, the Project Wide Advisory Committee (PWAC) discussed reconvening the MMPDG in order to continue its efforts to make the MMPs safer. They agreed to zero in on the topic of signage, "including but not limited to directional, informational and safety". They asked each District Board and the AAC if they would be in favor of reconvening the MMPDG to address the signage issues and, if so, to discuss them

(Continued on page 7)


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Safety Improvements

(Continued from page 6)

at their individual May meetings to allow for "productive dialogue and prioritization of items" at the proposed June or July meeting of the MMPDG.

At the April meetings, District Boards 1 through 10 and the AAC all agreed to participate. If you have suggestions on signage that you think would make the MMPs safer we would suggest that you attend the May meeting for your District Board or the AAC meeting if you live in the Lady Lake/Lake County area. □

Trauma Alert To Ocala Hospital Golf Cart Driver IN THE RIGHT

On March 22nd, a Mallory Square resident was operating his golf cart safely at the intersection of Angelita Avenue and Morse Boulevard when he had to swerve to avoid a car that was about to collide with him. The cart hit the curb, causing the driver to be ejected out onto the roadway, which resulted in him suffering head and knee trauma. **HE WAS NOT WEARING A SEAT BELT.** □

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Community Development Districts: Three New State Laws

Effective July 1, 2016,

1) CDDs will be able to contract with towing operators to remove vehicles from District owned property. This legislation was sup-

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ported by The Villages due to continued abuse by some vehicle owners when parking at The Villages Squares. Community Watch, (CW), and local law enforcement officials have teamed up over the last couple of years in a safety initiative to prevent golf carts and other vehicles from driving and parking on the District sidewalks and other unauthorized areas.

Initially, they placed traffic cones along the sidewalks at handicapped access points on the squares, but that did not solve the problem. Next, CW placed red and black "WARNING" signs on vehicles parked in unauthorized areas advising them of their infraction. That too was ignored, so CW partnered with law enforcement in an attempt to identify and notify the owners of vehicles in violation of the District Rules and request they move their vehicle. As a last resort, they announced that vehicles parked in violation of District Rules may be

prohibited access to any District property.

Hopefully, the problem can NOW finally be solved as the District will be able to have the illegally parked vehicle towed beginning July 1st.

There have also been parking problems in some of the residential areas, in particular in the Villas, with parking on the corners and extended parking in guest parking areas. District Manager Tutt advised at the April Project Wide Advisory Committee meeting that she would be meeting with District attorneys Stone and Fuchs to look at the advantages and disadvantages of towing, as there are likely some pitfalls that need to be avoided if the District opts to take advantage of the new law.

The next two changes may or may not impact future plans of The Villages Developer. However, Nancy Linnan, who is a lobbyist for The Villages, spoke in favor of the proposed changes. The new law modifies the establishment of CDDs in several ways.

2) First, the law increases the size of CDDs that can be created by county or municipal ordinance from less than 1,000 acres to less than 2,500 acres. The bill makes the corresponding changes to the threshold required for needing State approval from more than 1,000 acres to more than 2,500 acres. If used, this would more likely impact new CDD developments south of CR44 and not impact those north of CR44.

(Continued on page 9)



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New State Laws

(Continued from page 8)

3) The new law also contains a streamlined merger procedure for CDDs created by the same county or municipality. Up to five districts, created by the same local general-purpose government and whose boards are composed entirely of qualified electors, may merge into one district by adoption of an ordi-

nance by the local general-purpose government that created them. Residents who live north of CR466 would likely not see any im-

pact, as the residents of Lady Lake/Lake County are not in a CDD and CDD4 is in a

(Continued on page 10)

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New State Laws

(Continued from page 9)

different County than CDDs 1-3 and not eligible to merge under the new law. Thus, the merger could only involve CDDs 1-3 unless they ventured south which is not likely due to the use of a Project Wide Agreement for maintenance of the infrastructure in CDDs 5 –

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11. In the end, each Board of Supervisors would have to vote to approve the merger, as they are considered by the law to be the representative of their residents and we have only heard negative positions on this topic to date.

CDDs 5-12, south of CR466, are in the same county, a requirement of the new law. So, any two to five (the maximum allowed to merge) of them could merge. It is understandable that District Management would be in favor of mergers as it would reduce considerably the amount of staff time sitting in CDD meetings, much of which contains very similar reports and discussion issues. There are generally four to six of the full-time staff members present at the monthly meetings. There would likely be minimal cost savings in the area of personnel as the current staff members attending these meetings would still be needed on staff and the potential savings would be in the areas of:

1) Supervisor's compensation - \$200 per meeting, but note that not all Supervisors accept the salary – most of the Districts budget \$18,000 per year for this line item;

2) Professional services such as the fee for an attorney to be present at meetings, which varies, due to the length of meetings and the need for any special meetings from \$4,000 to \$8,500 per district annually. This would only amount to a possible savings of about \$25,000 per year, in each District, out of their total general fund budget of about **three million** dollars annually.

CDDs 5 – 11 already "pool their resources" for approximately 50% of their individual district budgets because of the Project Wide Agreement, (PWA). The PWA gives the final say on all of the project-wide expenditures to the Developer elected SLCDD. There is an Advisory Committee with a representative from each CDD, but they are only advisory.

We could see a possible move to merge CDDs 5-9 sometime in the future. At the April CDD6 meeting a Supervisor asked District Manager Tutt if District Management was moving in this direction and she responded that they are not spending money to have District counsel look into that section of the changes to Florida Chapter 190.

NOTE: The issue of merging or consolidating some, or all, of the districts north of CR44 was addressed in 2013 at which time the Governance Improvement Committee (GIC) was created to investigate this issue. It was composed of a representative from each Villages residential CDD. After almost a year

(Continued on page 11)

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New State Laws

(Continued from page 10)

of discussing the pros and cons, the GIC agreed that they did not want to merge or consolidate any of the Districts. However, in an effort to reduce administrative costs, they actively supported the following modifications to their current District operations: 1) Reduction in reporting requirements; 2) More automation; 3) More selective staff attendance at District meetings; 4) Less in-person reporting from the Sheriff's Office; and 5) More resident input capabilities.

While it is always a good idea to see if there are better ways to operate, bigger is not always better. Some of the concerns expressed back in 2013, by the GIC, are as follows:

a) Would merging of the Districts deteriorate and/or dilute the residents voices in government?

b) Would residents in merged districts become liable for each other's bond debts?

c) Would residents in merged districts all pay the same annual CDD maintenance fee, and what about the project wide assessment currently determined by assessable acres with-

in each District?

d) Would a large merged district have a hard time getting small things done for residents versus now where Districts can quickly direct the maintenance staff to take care of things?

e) How would enforcement of deed restrictions take place since most of the Districts have different deed restrictions? (For example, some allow for sale signs in the yard and some do not.)

There are likely many other unanswered questions that would need to be answered if any of the CDDs expressed an interest in a merger. Right now, we simply have a law that has been changed and which Villages CDDs **might** be interested in looking into some time in the future. □

6-Inch Golf Holes "Moving"

El Santiago Executive Golf Course will be closed for approximately four months for maintenance beginning on May 1, 2016. Its requested larger holes will be temporarily moved to Hawks Bay Executive Golf Course which will host both cup sizes on each greens surface for your choosing and playing enjoyment. □

Amenity Authority Committee (AAC) Meeting Highlights

April 6, 2016

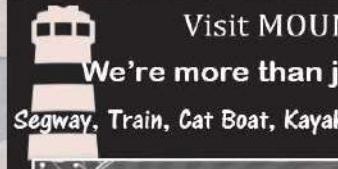
Consent Agenda:

- Approved an Invitation to Bid for El Santiago Golf Course Renovations and Improvements. While El Santiago is closed for about four months this summer, Hawkes Bay will be available for play with larger holes and color-coded flags added on the greens.

New Business:

- At the request of the Project Wide Advisory Committee (PWAC), the AAC voted unanimously to participate in reconvening the Multi-Modal Path Discussion Group (MMPDG). A meeting is scheduled for 9:00 AM, on July 26th at the Savannah Center. The plan is to discuss the issue of MMP signage for directional, informational, and safety purposes.

(Continued on page 12)



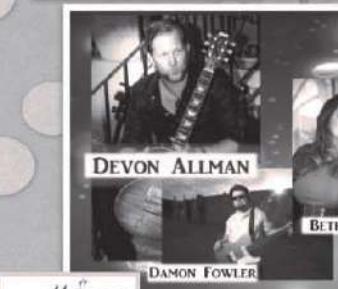
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AAC Meeting

(Continued from page 11)

- They approved an interlocal agreement for retrofitting certain multi-modal paths between CDD1 and the VCCDD.
- The AAC requested that Kimley-Horn review the necessity of using 6 inch curbing along the villa wall on the Summerchase multi-modal path as they deemed it to be a possible safety issue.

Old Business:

- Additional properties:

District Manager Janet Tutt reported that:
1) She commenced an evaluation of the 40 acres for sale on CR42 as a possible site for an additional recreation facility. She contacted the owner of the property and received permission to enter the premises. She hired a property appraiser and an engineer who accompanied her, along with her Administrative Assistant Brittany Wilson, District Property Manager Sam Wartinbee, and Recreation Director John Rohan, to walk the property.

2) She is also looking for any other properties north of CR466 owned by the Developer and any available land on the perimeter of The Villages that would be suitable for the addition of recreation facilities and will make contact with the owners of any she believes might be viable. (Results will be available at the May 18th AAC Budget Workshop.)

- At the request of AAC Member Carl Bell, the AAC agreed to direct Staff to include the "Project Consideration List" (formerly "Wish List") under Old Business in the monthly reports.
- Mr. Wartinbee announced that the extensive renovations at the Saddlebrook Recreation Center, which were previously scheduled to begin this Spring, have been put off until after the November elections because it is a polling site for Sumter County.
- Ms. Tutt announced that they did not receive ANY bid proposals to operate a concession area at the El Santiago Recreation Center. Mr. Rohan advised that the Recreation Department would begin to schedule activities in the patio area.

Please go to the www.DistrictGov.org website for the official minutes, agendas, and meeting schedules. Next AAC Meeting: Wednesday, May 11th, 9AM, at the Savannah Center. □

Amenity Authority Committee (AAC) Budget Workshop Highlights

The first of several AAC Budget Workshops for the 2016-2017 budget year was held on April 13th. The workshop format allows for discussion among AAC members on budget issues in order to come to a consensus on whether or not to move an item forward to a regular AAC meeting where voting can actually take place. Some of the items considered were as follows:

1) REVIEW OF THE PROJECT CONSIDERATION LIST in order to come to a consensus as to whether to move a project forward for further discussion as to inclusion in the 2016-17 budget, to put it on hold, or to eliminate it from the list took place:

a) Move forward to 2016-17 Budget: Practice putting green at Silver Lake Golf Course; Indoor restroom at original El Santiago Rec Center; Replace fountains at CR466 and Buena Vista; Replace outdoor exercise equipment for Springdale Exercise Trail;

b) Put on hold for further discussion at the May 18th Workshop: Fountain in pond at

El Santiago; Update Wi-Fi in Recreation Centers; Install ramps at postal stations; Restore Springdale/Mulberry Trail to its original use as a walking trail similar to Paradise Park; License Plate Recognition System.

c) Discard: More pool chair lifts; Pool aeration system.

2) ITEMS PENDING LAND UTILIZATION INFORMATION which will be addressed at the May 18th Budget Workshop include: 40 acres on CR42; Additional property purchase possibilities; Recreation Facilities Utilization Information; Indoor or Covered Pool; Additional Petanque Courts; Additional locations for Platform Tennis; Additional Lawn Bowling courts/storage space; Request for a croquet court(s); Mulberry Dog Park paving of path and parking area.

3) INFORMATION FROM BARBARA KAYS, BUDGET DIRECTOR:

a) Roof top percentages for the 2016-17 Budget year: There are two amenity revenue funds, one for the residents north of CR466 (AAC/VCCDD) and one for those south of CR466 (SLCDD). However, there are a number of budget items, i.e., Community Watch, and cost to produce weekly *Recreation News* in the *Daily Sun*, which are general in nature and used by both funds for which the allocation of costs is based upon the number of roof tops (includes assisted living and independent

(Continued on page 14)



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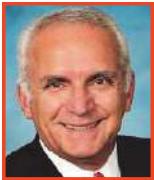
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AAC Budget

(Continued from page 12)

living amenity contracts) for each District.

For the upcoming year it will be 62% for the SLCDD and 38% for the AAC/VCCDD.

b) Amenity Fee Revenue: Currently the AAC/VCCDD amenity fee is capped at \$155 per month with the caveat that all potential

revenues are deferred and could be charged sometime in the future if needed.

AAC Chair, Ann Forrester, suggested that we should look to see if the cap needed to be increased. AAC member Carl Bell requested information on the caps current impact. Barbara Kays, from the Office of Management and Budget, stated that by the end of budget year 2016/17 about 387 roof tops out of about

22,000 north of CR466 would reach the \$155 deferral cap, based on an estimated CPI increase of 1%. That would add up to about \$21,000 in deferred revenue. To put that into perspective, the total amenity fees collected in the VCCDD territory last year was \$37,228,747.

Yes, that is \$37 million dollars, so the POA Board of Directors does not believe there would appear to be any reason to even consider raising the \$155 cap at this time. One of the goals of the cap is to someday reach the point where all of the residents north of CR466 are paying the same amenity fee each month.

c) Status of 2008 class action lawsuit settlement funds: Completed major improvements including but not limited to the payoff of the Paradise Bond debt (\$2.9M), the Multi-Modal Path reconstruction (\$9M), the development of Paradise Park (\$2M), improvements at Southside, Chula Vista, Hacienda Pool, Silver Lake (\$2M), New El Santiago Rec Center (\$2.6M), new Golf Maintenance facility, Woodshop parking lot, Saddlebrook Pavilion and gate connectivity (\$1.8M), and the new Tierra del Sol Recreation Center (\$1.9M).

Approved 2016 projects with the following price tags: Renovations to Saddlebrook Rec Center (\$1.6M), Hacienda Trail and other CDD1 Multi-Modal Path Reconstruction (\$2.2M). Mulberry Pickleball Courts, Schwartz Park, Bathrooms at Del Mar and Boone gates and Golf View Dock (\$700,000).

Yes, the AAC and District Staff are doing a great job of **using the lawsuit settlement funds** to upgrade the facilities north of CR466, which has definitely helped to maintain the property values of the homes north of CR466. All but Savannah Center (which has had ongoing major renovations), and Chatham and Mulberry Recreation Centers have been upgraded and the latter are still several years away from needing any major improvements.

With all of the above deducted from the income thus far, the settlement fund will still show a current balance of \$4,872,892 and payments due through 2020 in the amount of \$9,187,800 for a total of \$14,060,692 to take care of the AAC future improvement needs.

NOTE: In addition to the lawsuit settlement funds, the AAC General Renewal & Replacement fund ending balance on November 1, 2015, was \$12,645,000, which is sufficient to take care of the ongoing general capital improvements that are needed each year. □

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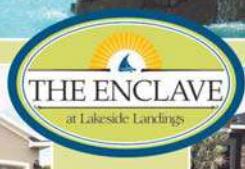
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The Villages "BUILD-OUT" Date Will It Ever Happen?

Many residents believed The Villages was "finally" near build-out as there appeared to be very little abutting property that was available for future "development". They had hoped that once new construction was no longer available the prices of resale homes in "The Villages" would increase due to the supply and demand phenomenon.

However, we learned in the March 29th *Daily Sun* article entitled, "Wildwood OKs New Villages Neighborhood", that this was wishful thinking.

This new "Village of Fenney", which will be developed as **CDD12**, is not contiguous

(Continued on page 17)

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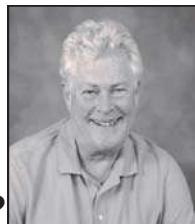
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"Build-Out"

(Continued from page 15)

with any current Villages properties.

It is actually located approximately three miles south of Brownwood on CR 468, south of both CR 44 and the Florida Turnpike. It appears to have no golf cart connection with the "real" Villages unless the Developer, who we understand is assisting with the costs of the upgrades on the CR468 bridge over the Turnpike, is able to provide golf cart usage via a lane on CR468 or an adjacent Multi-Modal Path. In any event, the residents of the Village of Fenney appear to have at least a three mile ride to just reach the edge of the "real Villages".

CDD12 is a joint venture between Wildwood Springs, LLC and The Villages of Lake-Sumter, Inc. Wildwood Springs, LLC owns the property, and will prepare the property's infrastructure for home construction utilizing The Villages consultants for the design and land planning.

The Villages will "be responsible for all elements, from sales and home construction to golf and recreational amenities". The plan includes two 9-hole executive courses, as well as amenities similar to what residents in Villages CDD1 through 11 are currently offered.

The residents in CDD12 will be part of the current amenity program and will be eligible to use all amenity facilities north of CR44, and current Villages residents would be able to use all amenity facilities located in CDD12.

CDD12 is made up of 1,048 acres, the typical size for most of the other Villages' CDDs, and will support an estimated 3,000 homes. The developers anticipate that new homes will begin to go on sale in early 2017.

We did note on the Sumter County, Florida GIS map that there are a number of other parcels surrounding the parcels owned by Wildwood Springs, that will soon become CDD12, that are zoned agricultural and owned by other

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companies. One or more of them could possibly want to be added to "The Villages" at some time in the future via a similar "partnership".

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Golf Cart Access for 300 Villas in CDD4

At a Town Hall meeting in March 2015, representatives for the Developer announced plans to add 300 villas off of CR42 in District 4. 165 villas were planned for the area east of Buena Vista Boulevard and the VA Clinic. 135 more villas were planned for the area west of Buena Vista Blvd and the big yellow church.

Ground has been broken in both development areas and golf cart access has become one of the concerns for residents whose homes back up to the two developments.

East Villas Development

The plans indicated that golf cart access for the East Villas would be provided by extending Mulberry Lane from the shopping plaza and VA Clinic to the development

West Villas Development

For the West Villas it was a little more complicated. Once it was determined that the Amenity Authority Committee, (AAC), would not be purchasing the 'church property', concern was raised as to how residents, in the

(Continued on page 18)

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CDD4 Golf Cart Access

(Continued from page 17)

soon to be built west side villas would have golf cart access to The Villages since the proposed trail was planned to go through the church property.

The following was published in the April 3, 2016, First Baptist Church Bulletin:

"A proposed agreement has been reached between the Church and The Villages Administration to grant The Villages Community District No. 4 a golf cart easement along the southern boundary of our property in exchange for a 1.85 acre parcel on the northwest boundary of our property."

Gary Moyer, (who is The Villages Vice-President for Development and the VCCDD Representative serving on the AAC), confirmed that report and stated that a similar easement has been obtained from the owner(s) of the land recently announced to become "Gentlemen's Farms" located behind Creek-side Circle in the Village of Calumet.

The proposed Multi-Modal Path, (MMP), would connect the West Villas development

with Clearview Avenue by going across the back of the Church property. The MMP will be located north of the berm, (the one with a row of bushes on top), which is north of the water retention area behind the concrete Villa Walls.

According to Mr. Moyer, the MMP will be located about 30 feet north of the fence line behind the homes on Creekside. A fully landscaped "Buffer Zone" will be provided within the 30 feet. "Everything will be done with the Developer's usual high quality standards", said Mr. Moyer.

District 4 will maintain the MMP and the landscaping around it. □

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Deed Restrictions

(Continued from page 6)

ARCHITECTURAL REVIEW COMMITTEE - The mission of the ARC is to assist in maintaining the high quality and consistency of the aesthetic beauty and design of residences and home sites found throughout The Villages. The ARC's review is purely administrative in nature. They shall either approve or deny the application based on the adopted Rule, guidelines, procedures and standards for the respective District where the property exists.

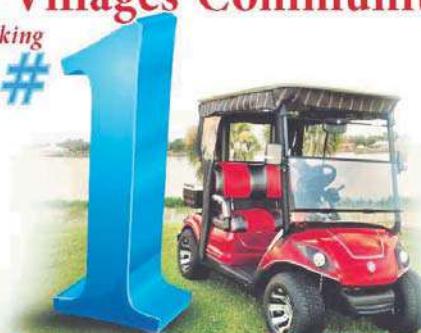
WHO MAKES THE DECISION TO APPROVE OR DENY THE APPLICATION?

The ARC is not an enforcement committee. The enforcement power remains with the respective District's Board of Supervisors. The ARC shall administratively review, for approval or denial, all owner applications seeking to make **EXTERNAL** structural alterations (including but not limited to landscaping, fencing, sheds, arbors or similar items)

(Continued on page 19)

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Deed Restrictions

(Continued from page 18)

home re-paintings, additions, repairs or improvements to their home. Said review and approval shall be done in accordance with each individual District's adopted Rule, guidelines, procedures, policies and standards, taking into consideration staff's recommendations regarding said compliance.

The current Architectural Review Committee consists of ten (10) **volunteer** members, one each from Districts 1-9 and the VCCDD for Lady Lake/Lake County portions of The Villages. Each District Board of Supervisors has appointed a primary and alternate member from its respective District. The ARC reviews approximately 100 applications per week.

The ARC meetings are open to the public and it operates under the Florida "Sunshine Law". They have not seen any of the applications until they sit down and review them, looking at them one by one. The address is called and staff asks if there is anyone there to represent the application or to represent the owner. That person can come up and speak to the requested improvement.

The issue is reviewed and discussed at length; in other words, the ARC does not just rubber stamp an application.

There were a total of 4,786 applications that were processed last year, from February 1, 2015 thru January 31, 2016. There are always more applications in the newer Districts, as people have just purchased their home and they are looking to make external improvements.

Application Instructions and Requirements - Throughout this article, you might have noticed that everything the Districts handle is external to the home and/or lot, not internal. The reason for this is that Chapter 190 identifies a District as a special District, and as such, only allows them to have enforcement of and approval for architectural review as it pertains to the external portion of the home.

The District's adopted Rule states:

"Homes: No reconstruction, additions, alterations or modifications to the home, or in the locations and utility connections of the home will be permitted without **written consent of the Architectural Review Committee**.

"Villas: No Owner shall make any structural alteration, or shall undertake any exterior

repainting or repair of, or addition to his residence, which would substantially alter the exterior appearance thereof, without the prior written approval of the Architectural Review Committee."

Further, an ARC application is required because your Covenants and Restrictions require that you get approval prior to doing any external improvement. Specifically, you are requested to submit the following with your application:

- A site plan or boundary survey which shall identify: All existing easements, the placement of the home, all existing improvements on the property and the proposed modification shall be highlighted. They want to make sure that your current request does not go into the easement or on the property line.
- Building plans, if available.

Regarding the Architectural Review - It is the property owner's responsibility to obtain all necessary permits, governmental approvals and maintain compliance with all governmental laws, water management district plans, and private restrictions.

If you are planning an alteration/modification to your home, you may contact Community Standards at 352-751-3912 and they can assist you in completing the application.

Architectural Review Q & A with Ms. Tucker

1) When does ARC get involved with the external painting of a house? A) If you are painting the exterior of a house the same color (or within that hue), and there is no other change, it does not have to be approved by the ARC for a home. If it's a villa, then they have to make sure that the color is within the guidelines and the colors that have been set for the villa. If you are changing the exterior color, you would come to staff to review the paint chart. For most Districts, if the color is on the color palette, or on the hues, you do not need ARC approval. However, in CDD4 you need ARC approval even if the color is on the palette. And, in CDD2, you need ARC approval because they did not adopt a color palette.

2) I've attended a couple of landscaping floral meetings and they talk about the landscaper submitting their own permission to the ARC, so that the homeowner doesn't have to do it, although the owner can attend the meet-

ing if they want. Is this ok? A) The property owner is the one responsible. The application is in the owner's name and should have the owner's signature. It can be submitted by a contractor, landscape contractor, or whatever the case is. The owner is still responsible, and can attend the meeting, but often times we do have situations, especially with building and landscaping contractors, where they submit the form (with the property owner's signature), along with their drawing and they are available.

(Continued on page 20)

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Deed Restrictions

(Continued from page 19)
ble in case there are any questions.

3) Do we need approval to remove or install a dish? **A)** No, but we do have guidelines. A Federal Communications Act prohibits us from determining or dictating where you have to install a dish. We have guidelines indicating you can put it behind your fence if you are in a villa, or locate it in the back of the home, however those are just guidelines. You have to have the ability to get a signal. We do try to tell residents, before you put one on your roof or on the side of your house, to contact Home

Warranty, as we have found that in some cases, drilling through a roof or the side of the home can void your warranty.

4) What would be a reason why the lanai in the back of the house cannot become enclosed? **A)** One of the biggest reasons would be if any part of the lanai is in the easement. Prior to January 2015, the Board's policy was to allow concrete up to 2 feet of the property line. We have since changed that because we have found that we were having issues with the original design of the drainage, so if you were approved for say, concrete 2 feet to the property line, you wouldn't be able to enclose that because you would be encroaching the easement. Typically, in the back of the home, there are 7½ feet rear easements; courtyard and patio villas typically run 5 feet. You cannot have any vertical structures in those easements.

5) Do you need an application to install gutters or downspouts, or lightning rods? **A)** No.

6) If you purchase a small lemon tree, can you put it on your property, as long as it is not 2 feet from an easement or 2 feet from the property lines, without getting approval? **A)** Any landscaping, trees, and any plantings require ARC approval. If the trunk grows to more than 4" in diameter, the tree must have ARC approval to be removed. Typically, if it's not a canopy tree, if it's a palm tree, the ARC typically just approves removal. It is the cano-

py trees that are the concern.

7) I live in Lady Lake, and the Developer is doing a great job. He's purchased homes over there and is replacing them. He's removed some trees, Live Oaks, nearly two feet in diameter. Does he come to you for approval? **A)** He sure does, we have stacks of forms. Also, in Lady Lake, there is a tree ordinance and he has to get approval from them, too.

8) I've been a resident for 15 years and, upon arrival I received a tree as a gift. The tree was planted by a landscaper. It was not part of the original landscaping plan that I purchased with the home. Over the years, and when the tornado came through, it has become somewhat at an angle. It's a Drake Elm. Do I need approval to have the tree removed? **A)** Yes, you need approval, unless you are in a villa.

9) I live in a Colony Villa, with lawn and shrubs and a couple of trees. If I decide I want to go to all rock, are you saying I can't go all rock, front, side or back? A neighbor replaced his landscaping with all rock. There was a complaint, and now he has to take all of the rock out. Why do some properties have all rock? **A)** If the property was developed with all rock, then what we would have to do is look at your restrictive covenants to determine if it reads that rock can be replaced with rock. Since we changed the policy in January of last year, changing to all rock would not be a permitted modification today. Rocks, mulch, etc., can only be used as an accent in approved landscaping beds. The reason we changed the policy is because we were finding drainage issues on adjacent properties, when all rock landscaping is used. □

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LETTERS

Letter to the POA:

Lack of Visibility

I believe it would be in the best interest of The Villages to have someone in authority ride around, in something other than an SUV or a truck, at the stop signs or traffic circles. Shrubbery blocks the view of the roadway preventing drivers from seeing other vehicles approaching from either side directions at many intersections. At some intersections you have to pull way out just to be able to see if someone else is coming towards you. The landscape is lovely, but it is very dangerous to a lot of drivers. The Villages did a great job of clearing all the shrubs, bushes and trees on Bichara Blvd. It would be nice if they took a look and cleared some of the other roadways.

Kenny and Judy Reeves

POA Response: Florida's fast growing landscaping is a continuing challenge. Recently, the District worked with Sumter and Marion Counties to address this issue on all of the medians entering roundabouts from CR466A north to CR42. They are replacing the current plants with ground cover or very low growing plants which will improve the line of sight concerns at the roundabouts.

In regard to visibility at specific intersections, we would advise that you contact Property Management (753-4022) and advise them of the specific problem area. We have found them to be very responsive to these requests. □

Letter to the POA:

Exterior Home Colors

I would like the POA to address the ugly colors people are using to paint their houses. What happened to approved colors only?

Sally Maronde

POA Response: Requirements for exterior repainting of a house were enacted February 1, 2014, and continue to be in full force. See page 19 – Q1 response for details.

Note, if a homeowner repaints their home with a color that does not meet one of the requirements, anyone can call the Community Standards Department (751-3912) and file a complaint – it can be anonymous. The homeowner, if they violated their deed restrictions, will be required to repaint the house using a color which meets the prescribed criteria. □

Our Gardening Column:

BENEFICIAL WEEDS

by Anne Lambrecht, Master Gardener
annegarden@embarqmail.com

Beneficial weeds?

My friend said "isn't that an oxymoron"? But, isn't a weed just a misplaced plant? One definition of a weed is: a wild plant growing where it is not wanted and in competition with cultivated plants.

I say NO! Weeds are good.

How did these weeds get there? All of a sudden in my garden this spring there's strange weed-like plants growing everywhere including Virginia creeper, hawks beard, cupid's shaving brush, stuff that sticks to you called bedstraw, not to mention the spurge, all kinds of grasses, vetches and clovers that drive us crazy!

I used to pull them all out with a vengeance and now I am a little more tolerant and gentle with what is growing out there.

Why do you ask? Is she just lazy, crazy and/or is she enamored with the "Jungle Look"? One year as I was weeding, I looked to my right and saw black swallowtails laying their eggs on the very plant I was pulling out.

I immediately stopped and looked it up: Mock Bishop's Weed (*Ptilimnium capillaceum*). Mock bishop's weed is a member of the carrot family. When you squish some of the plant in your fingers, you can smell the carrot. When you pull the plant out, the roots look and smell like a skinny white carrot.

This got me thinking that there might be many other weeds in my garden that are beneficial and by Jove, there are! Besides not having to "weed" so much, I use those volunteer visitors to my advantage.

Beneficial weeds can accomplish a number of roles in the garden or yard, including fertilizing the soil, increasing moisture, acting as shelter or living mulch, repelling pests, attracting beneficial insects, or serving as food or other resources for human beings such as medicine.

Weeds are fast growing, so they can quickly cover bare ground to protect it. Their roots hold soil together and keep it from eroding away in the wind or rain.

Many weeds accumulate vital nutrients from the subsoil and bring the nutrients into their leaves. As the weed leaves die back, they make fertilizer for topsoil.

Decaying roots—especially deep taproots—add organic matter to the soil, provide channels for rain and air to penetrate, and create tunnels for worms and other beneficial soil microbes.

Weeds are generally quick to sprout, but relatively short-lived. For this reason, they flower frequently in order to set seed for the next generation. The flowering and their dense foliage can attract beneficial insects looking for habitat or nectar.

(Continued on page 22)

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Beneficial Weeds

(Continued from page 21)

Many weeds, either in or just outside your garden, can help control harmful insects or attract beneficial ones. Research in Florida showed that fall armyworm damage was lower in cornfields containing repellent weeds like dandelion, cockleburs and goldenrod.

Other studies have proved that milkweeds repel wireworms. And, we all know that visiting monarch butterflies need our milkweed in order to live.

I would like to share with you some more beneficial weeds that add a great deal of insect interest and life-giving pollination to my garden. There are many more than these in my garden, but here are my faves:

- Wild poinsettia (*Poinsettia cyathophora*) a native, beautiful cousin of the Christmas poinsettia, is a terrific pollinator plant and the seeds are a favorite food of mourning doves.
- Tropical sage (*Salvia coccinea*) native, good in full sun or shade, hummingbirds love it, self-seeds. I have it in my veggie garden for pollination.
- Common Blue Violet (*Viola sororia*) perfect for the wildflower garden. Loves

shade. Flowers are edible. I have eaten them.

- Golden Rod (*Solidago odora*) No, this is not the plant that makes us sneeze but is quite a beautiful, fragrant pollinator attractor. An anise-flavored tea may be made with the leaves and flowers.
- Coreopsis (*Coreopsis leavenworthii*), or common tickseed, Florida's state wildflower, is easy to cultivate in full sun. Flowers are edible, too.
- Spanish needle (*Bidens alba*), those little needles are a big giant pain on your socks but all pollinators adore it, probably more than any other flower in the garden.
- Dollar weed. It looks like nasturtium, and I hate it, and it means that you are using too much water!

"What is a weed? A plant whose virtues have not yet been discovered."

~ Ralph Waldo Emerson

Good books to have:

Weeds of Southern Turfgrasses Published by University of Florida Extension IFAS; *A Gardener's Guide to Florida's Native Plants* by Rufino Osorio.



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Seniors vs. Crime

Leading the Fight Against Scams

Hack Fraud Scam - A Double Threat

Hack fraud, a new twist to the theft of personal information through corporate data breaches, is creating a double threat. Data breaches, where a company's customer records are accessed by hackers, are now so common it is rare to encounter someone whose information hasn't been hacked. Most victims don't even know about it until they find someone is using their bank or credit card information for fraud. That was in the past.

Today, companies are under an obligation to announce data breaches. Often, a free credit monitoring service is offered for a year or two to provide early warning of any fraudulent use. Contacting affected customers seems like exactly the right thing to do.

Unfortunately, Hack Fraud Scam resulted in the crooks pretending to be from either the breached company, law enforcement agencies, or 'an ID theft protection' service contracted by the breached company. They send out spam emails, text messages and even cold-calls, telling recipients their account details have been compromised. Some recipients won't even be customers of the hacked organizations.

Usually, the crooks ask for account information including user names, credit card details and passwords, claiming they need to confirm this against the records stolen by the hackers. They then proceed to drain bank accounts and max out your credit accounts.

In other cases, scammers buy lists of hack victims from underworld data brokers and contact them offering to "clean up" their records. They imply that they can somehow remove stolen data so it's no longer available to scammers and, of course, they charge a fee for their services.

There is also a risk of being contacted by scammers pretending to be from a company you do business with that hasn't even reported being hacked. Again, they will contact these individuals claiming there's been a data breach and ask for "confirmation" of confidential information.

(Continued on page 23)

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Seniors vs. Crime

(Continued from page 22)

Here are some suggestions to help you avoid becoming a victim of Hack Fraud:

1. If you get a phone call, email, or text message claiming you've been hacked, it's almost certainly a scam. Companies and government agencies normally send out formal notifications in the mail. If you do get a call or email that you think might be genuine, don't click on any links in the message or give them any information over the phone. Instead, contact the company independently.

2. Breached companies will never ask you to "confirm" your confidential information, so don't give it to someone who asks.

3. Don't be taken in by messages that seem to include personal information about you. It's easy for crooks to get this information.

4. Don't pay to have hacked data supposedly removed or cleaned up. It can't be done.

5. If you learn that a company you do business with has been hacked, visit their website or contact them directly to find out what actions they propose to protect you and your data.

6. Keep in mind that your personal data is a little bit like toothpaste – once it's out of the tube you can't put it back in. Once personal data has been hacked, it's impossible to 'unhack'.

Remember, no one will watch out for your interests better than **YOU**. When in doubt as to what you can do to protect yourself against unscrupulous hack scammers, contact your nearest Seniors vs. Crime office in The Villages for advice or assistance:

- Marion County 352-753-7775;
- Sumter County 352-689-4600, Ext 4606;
- Wildwood 352-750-1914.

There is never a charge for their services. Volunteers' at all three offices are ready, willing and able to assist you. To keep up with the latest scams, LIKE 'Seniors vs. Crime Region 4' on Facebook. □

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Dr. Ceriani Going from House to Hospital, 1948. Photograph by W. Eugene Smith

Accreditation means patient safety: FDA urges patient protection

The US Food and Drug Administration has reviewed a decade of data concerning the delivery of radiation for cancer treatment. In April of 2010, they concluded that much greater safety measures are necessary. The agency realizes the critical need for more intense patient protection.

In light of the FDA's conclusion, the American College of Radiology (ACR) called for compliance with its accreditation program for facilities that deliver radiation therapy to cancer patients. Years ago, the ACR established credentialing boards for this specialty. Rigid standards were established. So rigorous that, in radiation treatment, only a small percentage of all facilities are approved. Every facet is evaluated including the physicians, physics and treatment staff, nursing staff, equipment, quality control, and training. The ACR evaluates completely and methodically. Not one thing is left to chance.

In our area of Florida, few facilities are accredited by the ACR. The Robert Boissonsauit Oncology Institute shares this distinction with sites like the Mayo Clinic, Jacksonville, the Moffitt Cancer Center, Tampa, and UF Shands.

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