



## **Terra Verde HOA COVID -19 Notice - May 11, 2020**

We sincerely hope that this message finds you and your families well, wherever you are. There can be few places across the world untouched by this dreadful disease and we probably all know someone affected to some degree but we hope we don't tempt fate in saying that, up until now, no cases have been reported on Terra Verde and we very much hope that this will continue to be the case.

Today, as we enter phase 1 of the Governor's plan for Florida's recovery, there appears to be some further relaxation to enable nail bars and hairdressers to open on a limited basis, although this is not yet posted on the official website at time of writing. Please visit [flgov.com](http://flgov.com) to familiarize yourself with the latest directives and how they may impact you. We shall be following developments to look to re-open our own amenities, as far as possible, broadly in line with the statewide timetable.

We are aware that tourist bodies locally have been lobbying the Governor's office to lift the vacation rental suspension and another group of property owners and managers have filed a federal lawsuit against the Governor alleging violation of constitutional rights, especially as hotels, motels and timeshare resorts have suffered no such restrictions. For the present, however, the ban remains in place.

As can be seen from the minutes of last Saturday's HOA meeting (now posted on our website), we have encountered severe problems in our efforts to support the rental ban, both from owners who are unhappy at being denied the opportunity to rent their property and at the same time from resident homeowners, who are equally enraged whenever new rentals slip through the net. This has put our staff under enormous strain and the HOA in a no-win situation. As a result, we have gone back to our attorney for advice on how to manage the evolving situation, without placing our staff in the impossible role of arbiter of legitimate rentals and rendering the HOA vulnerable to being sued for making an incorrect call. The following is the result of that consultation:

"As an Association, we have determined it is not feasible or advisable to make a determination of how or whether an individual homeowner's proposed rental fits within the guidelines set forth in the State of Florida's Executive Order suspending vacation rental operations. Rather, it is the responsibility of the homeowners within our community to make a determination of whether their proposed rental is legal. Please see [https://www.flgov.com/wp-content/uploads/orders/2020/EO\\_20-87.pdf](https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-87.pdf) and subsequent extensions, for the exact details regarding the suspension of vacation rental operations.

If any homeowner within our community believes a property is being rented in contravention of this Order, please visit <http://www.myfloridalicense.com/DBPR/eo-complaints/> in order to register a complaint with the Florida Department of Business & Professional Regulation”.

Notwithstanding the above, our attorney’s advice is that, although we do not physically repel vacation renters at our frontgate, we will continue to decline to check-in any new guest who cannot claim some form of exemption under the Executive Order. Recent experience suggests that we shall still meet owner resistance to our efforts to support the Order but hopefully, pending the advent of phase 2, we won’t see too many more attempts to get around a law, which has been put in place to help control the spread of the virus in our area.

While it is encouraging to start to see signs of gradual business recovery in central Florida, it is to be hoped that the spread of the disease can be kept in check. Anyone currently staying on Terra Verde is urged to remain cautious and to immediately contact the authorities to report any concerns regarding adherence to the Governor’s current Executive Orders.

If you have any concerns or questions for the HOA Board, either on any of the above, or anything else, please address them to our GM, Conrad Ferguson, who will bring them forward for consideration and response.

A further update will be issued next week. In the meantime, please stay safe,

Your Terra Verde Masters HOA Board