

# RAINS BRING INCREASE IN DEED COMPLIANCE CALLS

Recent afternoon rains have brought a pleasant relief from the 100-degree temperatures we are experiencing.

But I refuse to complain about the heat. After the cold we had this past winter, I made a promise to myself that I would not grumble when I walked outside and came face to face with the heat.

Instead, I appreciate the warm Florida sunshine and the beauty of Florida's Friendliest Hometown.

The rain is a welcome relief except for the fact that the grass and weeds seem to sprout up quickly.

When this happens, the result is an increase in calls to the Deed Compliance Office from residents with concerns of possible violations to the deed restrictions.

The deed restriction most often referred to is, "It is the responsibility of the owners to keep their lots neat and clean and the grass cut and edged at all times."

When we receive a phone call or visit pertaining to a possible violation of this restriction, the first question is, "How long will it take before you maintain the property?"

Then, the concern becomes the amount of time it takes from the time a report is made to the time that you see results.

I would like to take this opportunity to explain the process and the timeframe involved.

The new Deed Compliance process went in effect on March 1 for Districts 1-4 and the Town of Lady Lake and Lake County portions of The Villages, and has been extremely successful.

This new process was approved by the respective board of supervisors adopting the rule that allows the Districts to enforce certain external deed restrictions.

The rule requires that the property owner of record is



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given proper notification that a deed violation exists.

Depending upon the violation, the notification process may take as long as 45 days before the District can step in and remedy the violation and fine the property owner.

During May, we received 457 complaints from residents of Districts 1-4 and the Lady Lake and Lake County areas of The Villages.

A deed compliance officer visits the property within three days of receiving notification that a possible violation exists.

Upon verification of a violation, a deed restriction reminder notice is issued to the property, a telephone call is made to the owner of record, and a letter is sent to the owner that describes the violation; all simultaneously.

Based on the type of violation, a prescribed time allotment to come into compliance between three and 15 days is given in the first notification.

After the allotted time and if the violation still exists, a second notification is sent.

This notification grants the property owner 15 days in which to comply and notifies the owner that a fine with daily accruals will be levied if the property is not brought into compliance.

On the 16th day, the property is rechecked and photographs are taken. If the violation still exists, a third certified letter is sent to the owner advising that a fine has been levied.

In addition, the third notification gives the date and time that a public hearing will take place with the District board of supervisors.

The respective board of supervisors will hear the case and may render a decision to seek injunctive relief or other legal relief as appropriate.

Depending upon the circumstances and at the board's discretion, the board may provide direction to staff to continue to bring the property into compliance if the violation is not remedied.

While the procedure may seem lengthy, it is constitutionally required to provide residents with due process, and they must be given proper notice and a right to be heard if the courts are requested to uphold the Districts' actions.

When the violation is high grass and weeds, District staff notifies an outside contractor to maintain the property after the third notification has been sent.

Therefore, the entire process generally requires a 45-day timeframe from the time the complaint is received to the property being maintained by the District.

The process may take less than 45 days if the owner brings the property into compliance prior to the time the District can legally take action.

When the Deed Compliance office receives a complaint of high weeds and grass on property located in Districts 5, 6, 7 or 8, the violation is reviewed and verified within three days.

If the violation is verified, a deed restriction reminder notice is issued, a telephone call is made to the owner of record, and the initial letter is sent notifying the owner they have 14 days to maintain the property.

On the 15th day, the property is rechecked and if the violation still exists, the District will have the property maintained on behalf of the Developer.

It is anticipated that the board of supervisors for

to enforce certain external deed restrictions and will institute the process currently in place for Districts north of County Road 466 in March 2011.

Districts 6, 7 and 8 will have this opportunity in 2012.

Until that time, District staff will continue enforcement of deed restrictions on behalf of the Developer.

Starting in the fall of 2010, we will host information sessions to educate the residents about the new deed compliance process.

The sessions will be held not only to educate the residents about the process, but for residents to provide input and ask

questions.

Continue to monitor the district website [districtgov.org](http://districtgov.org) for the dates, time, and place for these sessions.

As we approach our national holiday celebrating our independence, I can't help but share my appreciation for the freedom we enjoy that enables us to live the lifestyle we are so fortunate to have here in The Villages.

As you travel through our beautiful community this July 4th holiday weekend, please take a moment to look around and admire what a wonderful and unique place The Villages is.

Have a fun and safe Fourth of July.

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