

# **VILLAS OF WINDMILL POINT II POA., INC.**

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## **OFFICIAL NEWSLETTER**

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### **'MAYDAY, MAYDAY!' - WHAT A MAY FOR THE POA!**

From beginning to end, May, 2013 was one of the most active months that the POA has ever seen! For starters, the BB+T/Patti litigation with the POA had a full evidentiary hearing set for May 1st, with the Board majority attending. The hearing was to have the Circuit Court either grant a Stay of an 8/29/12 partial summary judgment order, or Contempt on the POA for not following it because it was very destructive to the POA. The Board declined to have nearly 30 owners, residents, and supporters attend to avoid a circus atmosphere because the same Order affected all 89 units by voiding and/or restricting the Association's DECS, Rules and Regulations, and Governing Documents, which have been in place for 10 to 30 years now. In September, 2012, the POA motioned for Rehearing which acted as its own "Stay", but it was denied 12/20/12. This, in turn, affected enforcements and even fines and violations since 12/20/12. On May 1st, the Court Stayed the destructive Summary Order for the 88 units other than BB+T/Pattis until all appeals and future activity on the case are completed, or until the case settles, if possible. This May 1st "break in the logjam" allowed the Board to resume enforcing its Governing Documents and to set a broad-based meeting for May 29th with members of all of the "on-hold" committees who were appointed at the last Annual Meeting. The at-times contentious meeting explained to those attending why violations were not being rigorously enforced and why funding was diverted to legal costs and away from needed grounds maintenance leaving the community in need of much work which will begin this summer, as will resumption of fines and violations.

By the end of the month, May 31<sup>st</sup>, the long-running Zinter case came to an unexpected settlement, and the POA agreed to buy their two units with much-needed, helpful, and appreciated owner financing! When completed, this would follow quite a few owners who have extended seller/owner financing to the POA to get a better price for their units, and the Board is grateful for all such opportunities. (So, any owner who may be thinking of selling any time in the future, please try to deal directly with the POA first to get the best deal!)

Also, during the month of May, one Director, the VP, had some unexpected medical issues take him out of action for a bit, also affecting the grounds, while another Director, the Secretary, had a new surprise occupant: a slightly premature baby granddaughter (this just after he was laid off by an employer who later filed bankruptcy). Then, on May 8th, another Director, the Treasurer, had twin baby girls born a little early, adding to his growing family, after his employer also filed bankruptcy. Each of these Directors already had severe 'underwater' mortgages on their units (all exceeding \$110K), and tried to modify their mortgages or payments, or negotiate a deed-in-lieu or a \$30K short sale. Unfortunately, as disclosed at the 5/29 meeting, the lenders, who keep confusingly transferring title from one entity to another, refused any help or negotiation while pushing their foreclosures, just as many Americans have been complaining about. All of these issues have since added cause for the Treasurer to announce that he will need to resign his positions this month for an unknown period of time, which is understood by the other Directors, but a very sad casualty to deal with. It is bad timing, with the POA suddenly getting hammered with 7 more foreclosures, each with staggering delinquent balances dating back many years. These units require significant individual invoicing of various services, charges, interest, etc., spanning those years that still need to be manually completed.

The President, though not facing mortgage troubles, did not escape a stressful month, as he was called upon to donate and volunteer more hours than ever during May, beyond his 10-hr/wk. paid consulting, while allowing the POA to hold back many months of payments to him to keep other bills paid until the foreclosure unit delinquencies pay and catch up. His extra workload comes just after he brought his 89-year-old father, whose health was failing, from Pennsylvania to Florida, to care for him at his home. His dad now faces imminent life or death surgery, while his 10-year-old son is recovering from a stressful surgery he had in late May. (It seems that nowadays, everyone is going through their own pains and problems of sorts and knows someone who is suffering emotionally, physically, and/or financially). And finally, as of this newsletter's printing, we are told to expect a tropical system next week!