



Broward County

Legislation Details (With Text)

File #: 22-867 **Version:** 1

Status: Agenda Ready

In control: County Commission

On agenda: 5/24/2022 **Final action:** 5/24/2022

Title: MOTION TO DIRECT Office of the County Attorney to investigate whether cause exists for the County to file a declaratory judgment action against the ownership of Lakeside Park Estates in Pembroke Park, Florida, to determine whether the park constitutes a mobile home park subject to the applicable rules for operation and closure, and, if a basis for filing suit exists, to authorize the Office of the County Attorney to initiate and prosecute such an action on behalf of County and to represent related claims on a pro bono basis of certain residents of Lakeside Park Estates for potential violations of law, including claims under Florida's Deceptive and Unfair Trade Practices Act and the Florida Mobile Home Act. (Commissioner Rich)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Additional Material - Information

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: Nan H. Rich

Department: County Commission

Information

Requested Action

MOTION TO DIRECT Office of the County Attorney to investigate whether cause exists for the County to file a declaratory judgment action against the ownership of Lakeside Park Estates in Pembroke Park, Florida, to determine whether the park constitutes a mobile home park subject to the applicable rules for operation and closure, and, if a basis for filing suit exists, to authorize the Office of the County Attorney to initiate and prosecute such an action on behalf of County and to represent related claims on a pro bono basis of certain residents of Lakeside Park Estates for potential violations of law, including claims under Florida's Deceptive and Unfair Trade Practices Act and the Florida Mobile Home Act. (Commissioner Rich)

Why Action is Necessary

Board approval is required for the County Attorney's Office to, if determined warranted, file the referenced lawsuit.

What Action Accomplishes

Directs and authorizes the referenced actions.

Is this Action Goal Related

No

Previous Action Taken

Summary Explanation/Background

Lakeside Park Estates is a residential community located at 3300 Pembroke Road, Pembroke Park, Florida. The community has operated for well over a decade as a residential 55+ community, leasing lots to both recreational vehicle and manufactured/mobile-home owners.

On or about March 18, 2022, management of Lakeside Park Estates sent written communications to a number of residents indicating that the community was closing and that their tenancies were being terminated. Media reports regarding this situation have stated that many residents in this community do not have the financial wherewithal to relocate on short notice and have spent considerable resources purchasing their manufactured homes and will lose their primary asset if the community is closed and they do not have the ability to have their home moved to another site. Recently, the County has received information that additional communications are being sent to residents by ownership/management of Lakeside Park Estates in an attempt to convince them to abandon their homes without regard to certain rights they may have under Florida law.

The issue of whether Lakeside Park Estates is a mobile home park or a recreational vehicle park may be one of potential importance to the County, both in terms of the Broward County Local Business Tax Receipt that the owners of Lakeside Park Estates must obtain from the County, as well as the manner by which the property is taxed. Currently, the ownership of Lakeside Park Estates has registered with both the County and the Town of West Park as a recreational vehicle park, notwithstanding the fact that a number of the lots in the community have manufactured/mobile homes rather than recreational vehicles.

In terms of importance to the residents of Lakeside Park Estates, if this community is a mobile home park, Section 723.061, Florida Statutes, restricts the grounds upon which a mobile home owner's tenancy may be terminated and requires a minimum of six months' advance notice prior to a change in use. In addition, properly operating mobile home communities are required to register with the state and provide displaced residents access to specified resources to assist with relocation through the Florida Mobile Home Relocation Trust Fund.

If this item is approved, the Office of the County Attorney will investigate whether there are grounds for the County to file a declaratory judgment action against the ownership of Lakeside Park Estates to have a court declare that the community is a mobile home park governed under Chapter 723, Florida Statutes and, if such grounds exist, to file and prosecute such an action. In addition, this item would authorize the Office of the County Attorney to undertake pro bono representation of individual residents of Lakeside Park Estates for related claims, including claims regarding potentially false and misleading communications by ownership/management of the community.

Source of Additional Information

Harrison Grandwilliams, Chief of Staff to Sen Rich, 954-357-7001

Fiscal Impact

Fiscal Impact/Cost Summary

None.