

### GALTMILENEWS

SEPTEMBER 2010

THE OFFICIAL NEWSLETTER OF THE GMCA







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### IT'S MY MONEY AND I WANT IT NOW!



On Wednesday, June 23, 2010, a Regency South unit owner called the Galt Mile Community Association and explained that his windows were stripped away by Hurricane Wilma. He installed impact-rated replacements and filed a claim with his insurance carrier for reimbursement. After four years of diligently responding to requests for information supporting his claim, benefits were denied. On July 26th, a Coral Ridge Towers North resident described the fate of his reimbursement claim for replacement windows - as well as interior furnishings damaged when his windows were hurled to the parking lot by Hurricane Katrina. Discouraged by reports that carriers were declining legitimate claims with impunity, he stopped corresponding with Allstate four years ago. With the deadline to revive his claim fast approaching, he changed his mind. On August 9th, a Playa del Mar resident called about windows blown out by Hurricane Wilma. She said that the Association had reimbursed her neighbors for their storm damages several years ago. She also recalls having heard that the association was responsible for all the building's windows.

Almost 5 years after the Galt Mile was battered by these meteorological monsters, it is no accident that residents are behaving as if they were suddenly awakening from some paralytic trance. On September 18, 2009, the Sun-Sentinel did a four-article layout featuring local residents who filed some of the more than 2000 neglected hurricane damage claims suspended in insurance carrier purgatory. Entitled "Tips: You can still open or reopen a claim," one article reminded storm damage victims that they only had one more year to take action. Although thousands of worthy claims have been consigned to an alternate insurance universe, thousands more have never been filed.

Following the 2004 - 2005 Hurricane seasons, the Florida Property Insurance market underwent a pan-industry corporate mutation. Resources dedicated to a highly competitive struggle for good will (and customer satisfaction) were reallocated to shield companies from the legal and regulatory consequences of evading compliance with policy terms. In summary, the bottom line was better served by withholding benefits than by winning new customers.

The Insurance Industry formulated an extremely effective capital conservation strategy. Insurance companies would repeatedly postpone considera-tion of submitted claims until this deliberately dilatory tactic threatened the company with statutory or judicial penalties. After watching their legit-imate claims languish unaddressed for years, cash-strapped associations and their unit owners would finally agree to settle for a small fraction of

the benefits guaranteed in their policies.

When faced with customers who doggedly refused to fold despite years of nerve-wracking delays, insurers would send in-house adjusters to reverse engineer assessed valuation, closing prospective repair/replacement costs to within spitting distance of policy deductible. A flood of complaints lodged by frustrated policy holders, state sponsored mediators or outraged legislators did little to deter this scam. Certain carriers took the Industry strategy to a new low. They financially burned hundreds of claimants by implementing a fiscal scorched earth policy - interminable delays invariably punctuated by a summary denial of benefits. Having witnessed the office of insurance regulation's (OIR) chronic impotence when called on to enforce policy terms, companies like QBE and Lexington unabashedly locked their wallets and slammed the brakes on benefits. To the delight of investors, policyholders were trivialized.

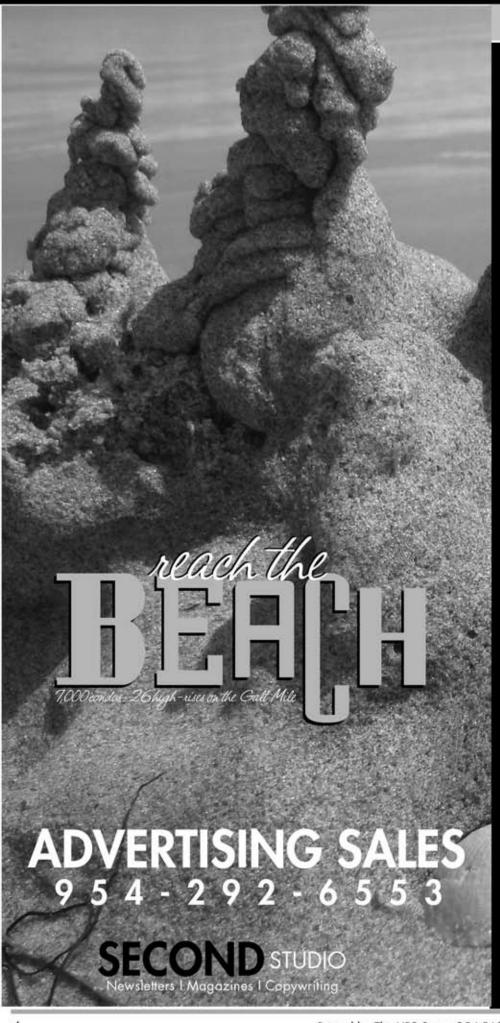
Not only were carriers contemptuously unconcerned about regulatory retribution (having sent the Office of Insurance Regulation on innumerable wild goose chases), the Industry proved equally adept at circumventing liability in the courts. When Lexington Insurance notified the 384-unit Visconti Condo Association in Margate that their Wilma damages failed to exceed their deductible, the insurer – incredibly – based the Association's projected repair costs on inexpensive temporary fixes and structural patches instead of the actual cost of permanent repairs. When the Association sued Lexington in Broward Circuit Court last year, the Boston-based carrier applied for and received a Change of Venue to Federal Court, a forum where their PAC contributions may serve to elicit a more sympathetic decision.

On January 29, 2010, the Daily Business Review interviewed Community Advocacy Network (CAN) Executive Director Donna Berger, an Association Attorney whose firm - Katzman Garfinkel Berger - successfully deconstructed the industry's legal strategy. After scoring last year's \$20.4 million judgment against QBE for the Buckley Towers Condominium in Miami and a \$9 million judgment for the Chalfonte Condominium in Boca Raton, hundreds of associations and unit owners considered reviving long-neglected claims previously written off as futile endeavors. Berger pointed out that many associations facing receivership or worse could be jettisoned into the black overnight if their carriers were made to pay benefits legitimately owed for claimed damages.

Having uncovered the key to penetrating the industry lockbox, association attorneys statewide were given the green light to fight for benefits legitimately owed to hundreds of association clients and their individual members. To help prevent associations from relapsing into paralysis, the day after her interview, Berger reminded CAN members that Hurricane damage claims are subject to a five-year Statute of Limitations. It's too late to file for damage repair costs attributable to 2004 Hurricanes Ivan, Frances, Jeanne, Charley and Bonnie. The deadline for filing claims for damages wrought by 2005 Hurricane Katrina was August 25, 2010. For Hurricane Wilma, the Statute of Limitations expires on October 24,

While many insurers have openly used intimidation and fraud to deter policyholders from opening or reopening inert financial claims, unfortunately, another huge pool of potential claimants has been constrained by misconceptions about carrier mechanics. One of the most prevalent myths is that filing a claim will trigger cancellation, non-renewal or a rate increase.





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### DEEPWATER HORIZON LOTTERY: TAKE A NUMBER

As the Deepwater Horizon oil spill spread through the Florida Straits past the Keys, beach community residents in Miami, Broward and Palm Beach watched the ocean, anxiously awaiting an expected onslaught of tar balls. City and County Commissions in Fort Lauderdale and Broward County notified local constituencies about their respective states of readiness in preparation. ration for the arrival of Deepwater Horizon's sticky progeny.

The official notices described a strategy for protecting the City and County beaches that fuel our local economies. An official alert will trigger the mobilization of a volunteer effort to clear the beaches of tar balls. County Tourism Director Nicki Grossman estimated that the potential pollutants would carry a daily price tag of between \$10 and \$15 million dollars in lost revenues, stating 'About one-third of the business we do every day we would lose because the beaches would be unavailable for recreational purposes."

On May 21, 2010, Broward Mayor Ken Keechl invited Mayors from the County's 31 municipalities to a meeting convened to coordinate a strategic threat response. After the meeting, Fort Lauderdale Mayor Jack Seiler expressed misgivings about the behavior of some of his colleagues. Seiler warned against using the oil spill as a soap box for the kind of political grandstanding that could further inflame tourist concerns about South Florida's viability as a travel destination.

In fact, the fiscal impact to every community, business or resident is not limited to the preparatory and cleanup costs or lost tourism revenue. In addition to eroding local economies in beach communities on both coasts, the oil spill has exacted a measurable toll on property values in those jurisdictions. The problem is likely to persist long after the observable affects of the spill abate.

Environmental pundits following the event confirmed that only a fraction of the 60,000 barrel daily discharge of crude oil is accounted for by the tar balls, tar patties and surface slicks being tracked in the 2,500 square mile catchment area. The rest is rolled into immense underwater plumes of dissolved oil that could surface over months or years. As long as the spill effects continue, so will their adverse impact on property values.

Once it became obvious that BP's bogus mitigation plan was an empty shell tailored to bypass Federal and State environmental licensing requirements, Governor Crist issued a series of Executive Orders to enable local eligibility for federal reimbursement funding and small business loans. On April 30, 2010, his Executive Order 10-99 declared a "State of Emergency" in areas first tainted by the quickly spreading oil, including Escambia, Santa Rosa, Okaloosa, Walton, Bay and Gulf Counties. On May 3, 2010, Executive Order 10-100 amended Executive Order 2010-99, adding Franklin, Wakulla, Jefferson, Taylor, Dixie, Levy, Citrus, Hernando, Pasco, Pinellas, Hillsborough, Manatee and

Sarasota Counties. On May 11, 2010, Executive Order 10-101 established the Gulf Oil Spill Economic Recovery Task Force. When spill elements circumnavigated the southern tip of Florida and threatened the east coast, Crist released Executive Order 10-106 on May 20, 2010 ascribing "State of Emergency" status to Lee, Collier, Monroe, Dade, Broward, and Palm Beach Counties.

In early July, Escambia County Property Appraiser Chris Jones and Santa Rosa County appraiser Greg Brown wrote to Crist, requesting relief for homeowners and business operators whose lands were no longer worth what they were assessed months be-fore the Deepwater Horizon disaster. Until then, the primary platform for damage claims was tied to the cost of preventing or mitigating the effects of tar balls and oil slicks on beachfront properties. Commercial loss claims were supportable by bank state-ments and tax returns. However, claims reviewers treated property owners whose asset values were tanked by the oil spill like lepers.

On July 14th, Executive Director Donna Berger of the Community Advocacy Network, an activist Association Attorney with long-standing ties to the Galt Mile neighborhood, sent an email to the Galt Mile Community Association. The content was lifted from an article she wrote for the Sun-Sentinel Condo Blog three days ear-lier and published on her Condo and HOA Law Blog on July 12th. After asserting that damages suffered by associations could successfully navigate BP's claims process, Berger mapped out a strategy for eliciting fair compensation. Her message legally diagnosed how the oil spill had already afflicted common interest associations with a variety of fiscal burdens. She offered the following list of association operations crippled by the event:

- The ability to obtain reasonable insurance coverage. When it comes time to renew our insurance coverage, we are undoubtedly in for a rude awakening.
- The ability to obtain financing in our communities. Lenders are already viewing properties along the coasts and close to them with greater scrutiny.
- The ability to sell property. Sales contracts for waterfront properties are already being drafted to include "oil spill contingency" clauses to enable pur-chasers to back out with the return of their deposits should a certain percentage of oil or tar balls be present up to the day of closing.
- The diminution of our property value. The value of beachfront communities (regardless if you run a rental pool or not) derives in large part from the robust nature of our tourism. Impact tourism and you've impacted property value. Remove the ability to obtain reasonable and adequate insurance and you've negatively impacted property value. Narrow the pool of potential purchasers and potential lenders for our communities and you've further impacted property



 In addition to these areas that have already impacted our communities' collective value, there is the likelihood for months or years to come for this oil to reach our shores, our Intracoastal and our other waterways with the attendant pollution impact and clean-up costs.

Of the items that Berger considers legitimate candidates for an association damage claim, diminution of property value is the 600-pound gorilla. It quantifies how the other drawbacks ultimately impact the association and each of its members. One week later, Governor Crist changed the playing field. With 26 Counties granted "State of Emergency" status, on July 21, 2010, the Governor issued Executive Order 10-169 authorizing Property Appraisers in the affected counties to provide interim assessments of any real property that may have suffered a loss in value as a result of BP's Gulf Oil Spill. Property owners can utilize the interim assessments to compare the just values before and after April 21, 2010 (the date of the original Deepwater Horizon explosion), enabling them to authoritatively document the spill's impact on the value of their assets.

When Crist green lighted Property Appraisers to generate the documentation required by property owners to measure damage to their property values, a whole new class of claims became eligible for reimbursement. Appraiser Greg Brown demurely opined, "We're going to have to evaluate how that's going to impact property owners. But I take it as a positive sign." Escambia County Appraiser Chris Jones cut to the chase, commenting "It basically gives them a down-and-dirty value that they can use, in turn, to send to BP for a claim." Prior to Crist's July 21st order, property owners could only demonstrate a diminution of value by privately commissioning an extremely expensive independent property assessment and arguing its objectivity.

Since the data can be used by any adversely impacted property owner to establish a basis for filing a claim against BP for a sustained loss, it's time to take a ticket and get on line. Diminished property valuation will actually serve as the centerpiece for Associations claiming damages, along with the increased difficulty to obtain affordable insurance and/or attract willing purchasers and lenders. In case you missed it, catchment area sales contracts, including those executed in the Galt Mile neighborhood, are being appended with an escape clause triggered by the sighting of tar balls proximal to the property. Crist's Order also states "The documentation may also be used to substantiate claims for the economic loss resulting from liability for property taxes, which are based on the January 1, 2010 values despite a disproportionate reduction in the value of real property caused by the oil spill."

The relevant question facing associations is no longer "if" they should file a claim but "when". In June, British Petroleum initially set aside \$20 billion for its relief fund. Attorney Kenneth Feinberg, who managed the disbursement of 9/11 relief funds to impacted families, was chosen to administer the BP Oil claims process. Claimants were entitled to appeal a decision to a panel of three retired judges appointed from the Gulf States by Feinberg. While the size of the dedicated corporate war chest was expected to increase as the spill's consequences proliferated, BP's liability will terminate at some point. This new class of claimants will serve to expedite the exhaustion of even an expanded relief fund.

Berger's message to associations is to act expeditiously and file damage claims against a lineup of 17 identified "defendants" (including BP, rig owner Transocean Ltd., well contractor Halliburton, and manufacturer of the well's failed blowout preventer Cameron International) through the BP Fund as well as in federal court. Since critical issues pertaining to a multi-district federal oil spill litigation were scheduled for consideration at a July 29th meeting in Boise, Idaho, Berger was hoping to enlist enough association claimants to influence the complexion of the Steering Committee charged with prioritizing British Petroleum claims.

Given that her chances of lining up a claimant roll of sufficient critical mass prior to the meeting date were paper thin, Berger exclaimed that "July 29th is NOT a cutoff, however, and associations can and should consider filing throughout the summer and fall." Although few associations bridged the initial deadline targeted by Berger, she is rightfully more concerned about a significantly more important deadline. Specifically, the date that fund coffers run dry.

In summary, an unknown number of common interest communities stand to bag a sizable infusion for the association budget. The winners and losers in this contest are likely to be determined by when they sign on as a claimant. If the Property Appraiser's interim report confirms a loss in property value, there are three options. Associations can ask their attorneys to submit a damage claims on a contingency basis. They can also join with other associations and hire a firm experienced in nailing these types of claims. As a rule, such specialty practices work on a contingency basis. Behind door number three is... nothing. That's right - your association can sit back and remain a spectator. Of course, if your next door neighbor receives \$300,000 from the relief fund before it is depleted, your association can always take solace in not having pandered to such tawdry fiscal appetites.

When Christ green lighted Property Appraisers to generate the documentation required by property owners to measure damage to their property values, a whole new class of claims become eligible for reimbursement.

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Florida has always been a fertile environment for motivated scam artists. Recently, the National Insurance Crime Bureau tagged the Sunshine State as the national leader in auto insurance fraud, a recession-driven scam wherein vehicle owners dump their cars into canals before shooting off loss/damage claims to understandably skeptical carriers. Although active throughout the year, the summer seems to hold special significance for Florida fraudsters. Several Galt Mile residents recently expressed concern about having been victimized by three of this year's summer stings - two statewide and one national in scope.

Every property owner in the State just had their pockets picked. Don't worry; your money is still in your wallet... at least for a while. Here's the deal. A Coral Ridge Towers (Original) resident who owns several Florida properties paid an early June insurance premium to Citizens Property Insurance Corp, the windstorm carrier for one of her properties. A month later, she was informed by Citizens that her check, along with thousands of others, is probably lining the pockets of some audacious thief operating out of Hialeah.

On June 24th, this creative crook strolled into the Post Office and dropped off standard change-of-address forms for the Jacksonville Corporate Center offices of Citizens Property Insurance Corp. and for a dedicated P.O. Box used by Florida's "insurer of last resort". Mr. Tricky Doggie requested that all correspondences be forwarded to an apartment in Hialeah. Fortunately, the reliably dysfunctional Postal Service screwed up the second change-ofaddress operation (targeting the company's P.O. Box), so only 213,000 client

## THE SUMMER OF

By Eric Berkowitz

mailings were diverted from the Citizens Jacksonville office at 6676 Corporate Center Parkway to the scammer's Hialeah address.

In a curious footnote to this misadventure, Citizens didn't cancel the bogus change-of-address order until June 29th. Although the mega-carrier ordinarily receives thousands of letters and packages every day, on Friday, June 25th, the mail bag was empty. The corporate inbox remained vacant for five full days before some ambitious executive trainee decided that the absence of mail to headquarters was sufficiently troublesome to justify an official inquiry to the Post Office.

Company spokesperson Christine Turner Ashburn said "Citizens will credit customers for payment if their checks were cashed in the scam." For customers who reacted quickly to early reports of the incident and called their banks to stop payment on their checks, the company assented to reimburse any related bank charges. The roughly 200,000 rerouted letters and packages contain premium payments ranging from a few \$hundred to \$thousands. If any of those premium checks mailed prior to June 28th were yours, contact a dedicated toll-free Citizens hotline at 1-888-685-1555. When our neighbor in Coral Ridge Towers called the hotline, she was informed that investigators were trying to reconstitute payment records and a Citizens representative would get back to her. Her outstanding payment hadn't been recorded.

Not to worry, Citizens will pick up the tab - that is to say - we will pick up the tab. The untold \$millions bilked from Citizens will ultimately be billed to every insured property owner in Florida. It will be buried in the "Citizens Assessment" line item on every premium statement. Ashburn said that although the carrier is working with criminal investigators, USPS protocol includes no front end red flag capable of preventing this type of deception. Rather than suing the Post Office for this elephantine operational gaffe, the Citizens think tank opted to deploy a "hair of the dog" strategic response. They allocated \$97,000 for a direct mailing to possible victims. Mildly amused by the ironic rewarding of the Post Office for enabling a thief to steal \$millions from property owners statewide, Ashburn remarked "It's almost comical."

The real danger to Citizens policyholders whose checks were hijacked doesn't end with a palliative reimbursement by the company. Since every hostage check provides a doorway to its issuer's financial identity, a far greater threat is posed by the scam's potential for identity theft. After cashing out, the scammers are likely to record tens of thousands of account numbers, bank routing numbers and any names and addresses linked to the accounts. The swindler(s) can either directly engage in a spending spree or sell the data using any number of private and public venues. Since many of these are available on the internet, the crook(s) can plausibly consummate these rip-offs from the kitchen table while still clad in pajamas. Given the prospective secondary shock waves facing their customers, Ashburn said "We're going to send out direct letters to anyone who could have been sending us something. If one person's identity gets taken because of this, we haven't gone far enough."



Section 627.4133(3) of the Florida Statutes provides: "Claims on property insurance policies that are a result of an act of God may not be used as a cause for cancellation or nonrenewal." While property owners may be singled out for defaulted premiums or structural noncompliance, carriers can only refuse to renew entire classes of property owner, not cherry pick individuals based on claims activity. If an association submits a dozen claims amounting to \$2 million and a structurally similar neighboring association submits nothing, both will be either dropped, renewed or face a rate increase depending on whether they satisfy the carrier's class eligibility requirements. Even if they both get the boot, the first association is \$2 million better off than their timid neighbor.

Associations and homeowners also fall prey to the carrier's contention that damages fail to exceed their deductible. Since this assertion is generally based on a superficial review of the storm-related damages, gullible association Boards are prone to accept this offhand. As a rule, a healthy percentage of structural damage is not apparent in a storm damage inventory. Only a structural engineer (or the passage of time) will expose storm-related, long-term structural deficits that are usually far more expensive to correct than damages enumerated in the carrier's assessment. Boards are also apt to overlook consequential expenses such as remediation of post-storm mold proliferation, relocation expenses, dumpster costs, in house cleanup expenses, water treatment and a sizable list of other hits to the budget.

Unless a release was signed, associations that received checks from their carriers are not precluded from submitting additional claims, either for an incremental benefit for an expense already addressed or costs that were never previously considered. While filing for owed benefits will not cure the terrible recessionary impacts that afflict the association budget, adding back what was drained to repair our homes will certainly blunt the fiscal pain. When filing a claim that necessitates legal assistance, if the association attorney (or any unit owner's lawyer) is unable or unwilling to work on a contingency basis, ask him or her for a referral – there are a truckload of firms that will welcome the opportunity in exchange for roughly 40% of the final settlement. Incidentally, Berger's law firm constructed a useful web site called WilmaClaims.com.

For additional information online, you can also Google "Hurricane Wilma Claims." Among the search results are a variety of law firms with claims experience. If you file a claim and subsequently decide against pursuing any action, you've lost nothing. If you miss the deadline, you are out of options. Do it! Should you need inspiration, you might want to close your eyes and envision that lunatic on television who molests annuitants while spontaneously screaming "It's my money, and I want it NOW!"

PS: Many Galt Mile residents have expressed the belief that their association has a statutory obligation to replace windows lost to Hurricane Wilma. Although some associations have implemented special assessments to replace noncompliant windows and/or exterior doors, others required that unit owners individually install impact-rated replacements. The Statute that requires associations to insure the entire building enve-

lope does not mandate that they care for or replace damaged windows. If any post-deductible damage benefits become available, they can be dedicated to defray replacement costs. Nonetheless, the poorly drafted, controversial statute was passed after Hurricane Wilma. – Sorry! •



Ocean Manor Tiki Bar After Hurricane Wilma

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### BROWARD MAYOR KEN KEECHL'S NEWSLETTER

\*In his Summer 2010 newsletter, Broward Mayor Ken Keechl asserts that his opposition to increasing taxes hasn't faded since publishing his March 2007 Newsletter - "It's All About Property

Taxes". He opened that early example of Keechl memorabilia with a budgeting clinic, reviewing the definitions for "rolled-back" rate, "Enterprise Fund" and "Constitutional Officers" before strongly recommending that his new Commission peers wake up and smell the recession.

Four months earlier, Keechl released "Finding Common Ground", his first newsletter after sewing up the District 4 Commission seat in November of 2006. Having survived a somewhat contentious campaign, Keechl extended an olive branch to his defeated opponent's supporters. Focusing on a shared aversion to the County's irresponsible tax-and-spend culture, the Rookie Commissioner announced "The overwhelming local issue of the 2006 campaign season was property taxes. They are too high — period."

While Keechl's earlier views on property taxes approximate his current outlook, the two aren't identical. Io match a prior year's collection during periods of declining property values, the increased rate that the taxing authority must apply to property is called the "rolled-back" rate. The state does not recognize taxing property at the higher "rolled-back" rate as a tax increase because the jurisdiction nets no increase in tax dollars. In 2007, Keechl insisted, "If the Broward County Commission votes to establish a millage rate for the fiscal year 2008 higher than the 'rolled-back' millage rate, it's a tax increase. Period."

After 2007, Keechl sharpened his red pencil. No longer satisfied with matching the "rolled-back" rate, Keechl realized that he could more effectively fast-track deflating a bloated County budget by instead matching the prior year's millage rate. In this month's newsletter, Keechl says "Each year I have refused to vote for a millage rate increase and my colleagues have wisely agreed. This year for FY 2011, I will again refuse to vote for a property tax increase."

For the past three years, the Broward Commission's annual internal fireworks has been a by-product of the conflict between these two tax cutting strategies. At the June 22nd Commission meeting, County Administrator Bertha Henry revealed a draft FY 2011 budget using a 5.3953 millage rate. Although higher than last year's 4.889 millage rate (\$4.89 for every \$1000 of assessed value), its less than the 5.62 "rolled-back" rate, enabling supporters to spin her budget as a tax cut. The commission divided into two camps; supporters receptive to a millage increase and opponents committed to holding the line.

Our District 4 Commissioner is the big dog behind door number two. If not for the Mayor, the Commission never would have approved \$385 million in recurring savings for Broward taxpayers. Within four years, Ken Keechl has become the most effective proponent for spending restraint on the County Board, possibly in Commission history! Read on... - [editor]\*

"It's Still All About Property Taxes" By Broward County Mayor Ken Keechl, District 4 Commissioner

After you elected me to the Broward County Commission in November 2006, I decided to start writing newsletters, as often as possible, to keep you and your families informed about important issues. One of my first newsletters in March of 2007 was titled, "It's All About Property Taxes." I reminded you about my promise to be your champion on the Broward County Commission against property tax increases. I have kept my word. Since you elected me, I have voted on three annual budgets, FY 2008, FY 2009, and FY 2010. Each year I have refused to vote for a millage rate increase and my colleagues have wisely agreed. This year for FY 2011, I will again refuse to vote for a property tax increase. Together, with my colleagues over the last three years, we have decreased Broward County annual budget by \$385 million dollars. Broward's annual budget was approximately \$3.7 billion dollars when I was elected; today, it's approximately \$3.3 billion dollars. And the world didn't end, did it?

At the same time over the last three years, we cut wasteful and unnecessary spending, and we started addressing issues that had been neglected for far too long: the expansion of the Ft. Lauderdale-Hollywood International airport; the expansion of the Port Everglades; jail overcrowding; and constructing a scaled down, functioning, toxin-free Broward County Courthouse. And, I want to stress again, we did it without raising your property taxes. Today, I make the same promise to you and your families that I made in November 2006 while campaigning for my first term as your Broward County Commissioner. During my second term starting in November 2010, I will never vote to increase your property taxes and I will continue to work with my colleagues to shrink Broward County's annual budget. I think this is one of the most important promises that an elected official can make to you. Of course, in November 2006, you had to take my word for it since I didn't have a voting record. Now, I have a voting record and it demonstrates that I feel passionately about fiscal responsi-

After all, if I've learned anything over the last three years, it's this: many politicians will say anything to get elected. But fortunately for and your families, they can't hide from their past votes. I'm proud of my consistent voting record against property tax increases.

My best to you and your families.
Broward County Commissioner and Mayor Ken Keechl
954 357 7004
www.broward.org/kkeechl•



The expansion of key county infrastructure such as Port Everglades was required to keep Broward competative.



While conceding the danger, Ashburn skirted admitting to future liability for adverse financial consequences. Instead, she recommends that prospective victims protect themselves by contacting their financial institutions, credit card insurers and credit card bureaus to flag their suddenly vulnerable accounts. By alerting these agencies, victims stand a good chance of foiling future efforts to fraudulently open lines of credit using their identities. If you receive a congratulatory letter from the local BMW franchise for purchasing a new Z-4, it's too late.

The second shell game - reported by a Galt Mile vendor - is one of two scams referenced on the Florida Division of Corporations official website, www.sunbiz.org. Along with the usual junk that penetrated his internet security program's email spam filter in early July, the local merchant received an email requesting a fee for complying with some official State corporate notice requirements. Experienced in wading through a daily complement of email hustles, he forwarded the phony phishing expedition to the neighborhood association and asked whether we were aware of similar flimflams. In the field of computer security, phishing is the criminally fraudulent process of attempting to acquire sensitive information such as usernames, passwords, account numbers, Social Security Numbers and credit card details by masquerading as a trustworthy entity in an electronic communication – such as an email.

On July 10th, the Florida Division of Corporations posted a warning on its website about two widely posted misleading emails. In one case, an entity masquerading as a "Compliance Services" arm of the official State agency is emailing Florida companies, requesting their annual minutes and a fee of \$125. In fact, no state agency requires the filing of a company's annual minutes. In the second scenario, something called the "Florida Online Corporate Annual Report Filings" is also emailing businesses, inviting them to file their annual reports on that group's website. The correspondence is designed to create the false impression that the company is engaging in an official state-sanctioned service effort.

While the first set of bozos is raking in \$125 payments from clueless victims, they also stand to receive enough corporate data to initiate a credit scam. While the second suspect site lacked the panache of exacting a fee for inducing a corporate victim to self-compromise fiscal security, a quick trip to the perpetrator's web site reveals an attempt to solicit data useful for corporate identity theft, personal data about any officers and/or directors and a shot at collecting \$50 for a Certificate of Status ordinarily costing \$5 or \$8.75. To legally insulate themselves from actionable liability, the Division launched the Consumer Alert on the home page of their website. They repudiate claims outlined in the emails and deny any association with the two entities.

The third gambit, embodied in an email sent directly to the neighborhood association, exemplified the State's most prevalent of summer frauds, those exploiting the Deepwater Horizon Oil Spill. In May, Florida Attorney General Bill McCollum warned residents against paying a fee for processing loss or damage claims resulting from the Gulf oil spill. Since British Petroleum's (BP) authorized third-party claims administrator, ESIS, is processing spill-related claims on BP's dime, McCollum exhorted "Floridians need to be on the lookout for people posing as authorized adjusters and requesting fees for free claims services."

In June, the Federal Trade Commission (FTC) issued an alert about "scam artists" using e-mails, websites, door-to-door collections, flyers, mailings and telephone calls to solicit money. The FTC reported receiving hundreds of complaints about scammers raising money for bogus environmental causes and fly-by-night charitable organizations or offering fraudulent remediation services. Others toured beachfront neighborhoods, offering to expedite loss claims for a fee or to help homeowners brazenly fabricate "airtight" damage claims. In the email sent to the neighborhood association, an outfit called Industrial Recovery offered a similar service for a fee. However, if requested account information was submitted, the fee would be waived. The snow job was immediately forwarded to McCollum's office.

In July, the Federal Trade Commission issued another consumer warning. Scammers had begun using fraudulent job ads to exploit the State's huge pool of unemployed recession victims. Desperately needed jobs were offered in exchange for an up-front fee, usually for training or "certification". In Atlanta, the police nailed owner Tanya Callaway of a temp company called Just Business. Callaway and partner Atlanta Police Officer Corey Hymes collected hundreds of \$80 fees for jobs supposedly guaranteed by BP. The oil company never heard of Callaway or her employment business.



#### EASILY REMOVE AND PLACE ON YOUR FRIDGE

r	SUN	MON	TUE	WED
	12	13	14	15
4	10.4			
ш	Urban Gourmet Market 1201 E. Las Olas Blvd. 9 a.m. to 4 p.m. Info.: 954-462-4166			
S	19 Swingin' Evening of Entertainment Broward Center, 6 p.m. Info.: 954-462-0222	20	Fort Lauderdale City Commission Meeting City Hall 6 p.m.	22
	Urban Gourmet Market 1201 E. Las Olas Blvd. 9 a.m. to 4 p.m. Info.: 954-462-4166	Commissioner Bruce Roberts: Pre-Agenda Meeting Cardinal Gibbons High School, Media Room 6 p.m. Info.: 954-828-5033	"How to Raise a Money-Smart Child" Leann Barber, Financial Advisor Edward Jones Office 1719 E Commercial Blvd 6:30 to 8 p.m. Info.: 954-303-6750	
ER	26 Dragon Boat Racing Series (Through 11/20) Quiet Waters Park Info.: 954-232-7434	27	28	29
8	Urban Gourmet Market 1201 E. Las Olas Blvd. 9 a.m. to 4 p.m. Info.: 954-462-4166	Sesame Street Live Broward Center Tix.: 954-462-0222	Godsmack Hard Rock Live, 7:30 p.m. Tix.: ficketmaster.com	
	3	4 GMCA Presidents Council Mtg Location TBA Info.: Call IPio Ieraci	5	6
	Sunday Jazz Brunch Riverwalk, Downtown FL 11 a.m. to 2 p.m. Info.: 954-828-5985	Commissioner Bruce Roberts: Pre-Agenda Meeting Cardinal Gibbons High School, Media Room 6 p.m. Info.: 954-828-5033	Fort Lauderdale City Commission Meeting City Hall 6 p.m.	
	10	11 Columbus Day	12	13
)	Urban Gourmet Market 1201 E. Las Olas Blvd. 9 a.m. to 4 p.m. Info.: 954-462-4166			

FOR A COMPLETE LISTING OF EVENTS, GO TO THE CALENDAR AT WWW.GALTMILE.COM



#### ONE SOURCE FOR COMMUNITY HAPPENINGS

THU	FRI	SAT	
16 G.M.C.A. Advisory Board Mtg Nick's Italian Restourant 11 a.m.	17 Jazz on the Square The Village Grille Commercial Blvd. & A1A 7 p.m.	18	UPCOMING
BINGO Southpoint's North Lounge (3400 Galt Ocean Dr) 7 p.m. S5/person for 3 boards	Erev Yom Kippur	Ft Lauderdale Gun and Knife Show (Through 9/19) War Memorial 954-828-5380	EVENTS IN OUR AREA October 16 Glam-A-Thon, Glam Doll Strut Riverwalk, Downtown Fort Lauderale, 7 p.m.
Pard Rock Live, 8 p.m. Tix.: ficketm aster.com	Jazz on the Square The Village Grille Commercial Blvd. & A1A 7 p.m. Info.: 954-776-5092	Pig Toy and Truck Extravaganza Holiday Park 10 a.m. to 2 p.m. Info.: 954-828-5360	October 22 - November 11 Ft Lauderdale Int'l Film Fest Info.:954-760-9898
BINGO Southpoint's North Lounge (3400 Galt Ocean Dr) 7 p.m. S5/person for 3 boards	Crush & Cuisine: A Feast of Food & Wine (Through 9/26) Westin Diplomat Resort & Spa, Hollywood Info.: 561-243-3073	7th Annual Butterfly Days (Through 9/27) Fairchild Tropical Garden 9:30 a.m. to 4:30 p.m. Info.: www.fairchildgarden.org	October 23 - 24 Las Olas Art Fair Las Olas Blvd, 10 a.m. to 5 p.m. Info.:954-472-3755
Mic's Night Out Broward Center, 7:30 p.m. Tix.: 954-462-0222	Jazz on the Square The Village Grille Commercial Blvd. & A1A 7 p.m.	Dine Out Ft Lauderdale (Through 11/11) Over 35 top restaurants offering 3- course menus for \$35.	October 23 - 24 Buckler's 20th Annual Craft Fair South Florida Fairgrounds Info.:386-860-0092
BINGO Southpoint's North Lounge (3400 Galt Ocean Dr) 7 p.m. \$5/person for 3 boards	Crosby, Stills, and Nash Hard Rock Live, 8 p.m. Tix.: ticketmaster.com	Clyde Butcher Photography Exhibit: America the Beautiful: The Monumental Landscape (Through 1/9/11) Museum of Discovery & Science Info.: 954-467-6637	October 24 Hurricane Wilma Claims Deadline, Midnight Info.: www.wilmaclaims.com
7	B Jazz on the Square The Village Grille Commercial Blvd. & A1A 7 p.m.	9	October 26 Retirement Has Changed: What is Your Next Move? Edward Jones Office, 1719 E Commercial Blvd., 6:30 to 8 p.m. Info.: Leann Barber, Financial Advisor at 954-303-6750
BINGO Southpoint's North Lounge (3400 Galt Ocean Dr) 7 p.m.	The Eagles BankAtlantic Center	The Villages of Horror (Through 10/31) War memorial Auditorium 7 p.m. to Midnight	October 28 - November 1 Ft Lauderdale International Boat Show Info.: 954-764-7642 October 30 - 31
S5/person for 3 boards  2nd on 2nd Thursdays Block Party 200 Block SW 2nd Street 5 to 9 p.m.	Tix.: 800-745-3000  Jazz on the Square The Village Grille Commercial Blvd. & A1A	16	Lauderdale-By-The Sea Craft Festival Info.: 954-776-1000
Info.: 954-468-1541 BINGO	7 p.m.		November 12 Riverwalk Get Downtown Las Olas Place, 5 to 8 p.m. Info.: 954-468-1541
Southpoint's North Lounge (3400 Galt Ocean Dr) 7 p.m. S5/person for 3 boards	Rocktoberfest Downtown Fort Lauderdale, Riverwalk 5:30 tO 10 p.m. Tix.: 954-468-1541		November 13 - 14 Happy Paws Pet Expo War Memorial Auditorium

Closer to home, McCollum is prosecuting Able Body Labor, a Clearwater-based temporary staffing firm with 170 branches in 25 states. Another targeted company, Southern Cat of Lynn Haven, is a nondescript opportunistic enterprise cobbled together two years ago. When employment entails exposure to hazardous substances, the law requires that candidates undergo Hazardous Waste Operations and Emergency Response Standard training, otherwise known as HAZWOPER, prior to qualifying for certification. Although the two companies advertised the training as free, when applicants graduated, the companies demanded fat fees of up to \$450 before releasing their certificates.

The reason why the Gulf oil spill scams have received such intensive focus from consumer protection agencies and law enforcement is largely a consequence of their nationwide impact. In one particularly egregious June event, nearly 800 members of the Yakama Nation tribe in Washington were offered \$40-an-hour jobs clearing tar balls from Gulf beaches. To secure the jobs, they had to provide names, addresses, social security numbers and other data useful for identity theft. Many resigned their regular jobs in order to take advantage of the opportunity, only to learn they were defrauded.

If you've been targeted or victimized by any of the tricky hair balls that seem to flourish in Florida, let us know. Your identity will be fully protected. Prior to contacting us, please file a complaint with the Federal Trade Commission by visiting ftc.gov or calling toll-free 877-FTC-HELP. Sharing your experience will help others find the courage to fight back. •

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September – October 2010

#### Travel light

Smart travelers know that successful trips depend on planning—mapping out sights to see, deciding whether to fly or drive, making reservations and, of course, packing for the trip.

Whether you are flying or driving, traveling across the country or venturing abroad, packing suitcases is an art. Today, more and more people are finding it convenient to ship their luggage before they leave. Shipping your things in advance means more space in the car for the entire family on long road trips.

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purchase a luggage box that takes the place of your suitcase. The new luggage box weighs less than an empty suitcase, which can help lower shipping costs even more.

- If you are sending stuff out, you'll probably need to send stuff back home as well. One option is to pack a flattened box and a roll of heavy-duty tape for sending home souvenirs... or dirty laundry.
- An easier option is to have your shipment professionally packed at The UPS Store.
- No room for surfboards, bikes, golf clubs, fishing rods, extra reading materials or snorkel gear? Ship these types of items straight to your vacation destination.
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