

# FLORIDA HOMEOWNERS for FAIR TREATMENT

[www.fhft.org](http://www.fhft.org)

*...a coalition of Florida Homeowners for fair rights of access to Florida waterways...*

## Information Release

September 23, 2008

In response to public comments regarding FDEP's administration of the 10:1 rule in Chapter 18-21 FAC, Yvonne Gsteiger, J.D., Senior Cabinet Advisor, emailed on September 12<sup>th</sup> the following statement on behalf of Florida's Chief Financial Officer Alex Sink (emphasis added).

**"As you may know, lands that are below the high water line in Florida are considered 'sovereign submerged lands.' These submerged lands are held in trust for the use and benefit of all Florida's citizens, as set forth in the Florida Constitution. Both public and private entities have to get permission to conduct activities on submerged lands if the activity will stop (or preempt) other Florida citizens from using that area. The most commonly requested uses are to build docking facilities for single-family houses, multi-family developments, yacht clubs, and marinas. While some people think that single family homeowners who own docks don't pay lease fees, this is not true.**

**The rule that applies to condominium owners also applies to homeowners."**

While this statement is factually correct, a look at the numbers shows that condominium associations are discriminated against. In fact, the 10:1 rule disqualifies condominium owners from the SAME "fair rights of access" guaranteed to single-family homeowners.

### **SINGLE-FAMILY RESIDENTIAL DOCKS AND BOAT SLIPS:**

- Based upon FDEP records, there are only 238 "Private Single-Family Residential Docking Facilities" subject to submerged land lease fees IN THE ENTIRE STATE OF FLORIDA!
- And from the same FDEP records there is only ONE "Private Single-Family Residential Docking Facility" subject to submerged land lease fees IN ALL OF PINELLAS COUNTY! That's correct, only ONE out of 14,386 single-family homes with docks in the entire County is subject to submerged land lease fees!

### **MULTI-FAMILY RESIDENTIAL DOCKS AND BOAT SLIPS:**

- On the other hand, there are 112 condominium associations and thousands of multi-family homeowners in these condominiums with docks and boat slips in Pinellas County that are subject to submerged land lease fees according to FDEP records.
- **ONE single-family homeowner** who pays submerged land lease fees vs **ONE HUNDRED TWELVE condominium associations** and their **thousands of multi-family homeowners** who pay submerged land lease fees in Pinellas County alone!

***If that's equality, Ms. Gsteiger, we're in a lot of trouble!***

FHFT believes that this discriminatory and unfair treatment of multi-family homeowners must stop, and we want our constituents to know the facts.

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