

Seven Oaks

CDD and SOPOA - What is the Difference?

Functions of the Seven Oaks Community Development District (CDD) and Seven Oaks Property Owners Association (SOPOA) are well defined yet confusing to some. This information may help distinguish between the two organizations and explain how our community works. Both the CDD and SOPOA work diligently to preserve the many qualities that make Seven Oaks a desirable place to live.

Responsibilities

Here's the basic difference:

CDD: Owns and manages "common areas" such as clubhouse, parks, ponds, nature trail, roads, etc.

SOPOA: Does not own but enforces deed restrictions for 25 of the 28 residential neighborhoods in Seven Oaks. Also responsible for maintenance of gates, gate codes, gate remotes, and cameras. SOPOA is responsible for creating, updating, and enforcing the Seven Oaks governing documents including Master Design Guidelines, Covenants, Conditions and Restrictions (CC&Rs), and By-laws.

Budget

The CDD and SOPOA have 12 month fiscal budgets that run from October 1 to September 30 of the following year.

CDD: In April/May, the CDD Board provides the District Manager with guidelines on preparing a budget for the next fiscal year. The District Manager presents the draft budget to the Board at the May/June meetings. During June/July, the Board provides the District Manager with any changes so a final budget can be presented at a public hearing in August prior to a final approval by the Board.

SOPOA: SOPOA's budget is similar to the CDD process for

preparing the final budget. Typically at the annual meeting in September, the Board approves a final budget after receiving feedback from the homeowners at Seven Oaks.

State Statutes

The CDD and SOPOA are both governed by state statutes.

CDD: Chapter 190 of the Florida Statutes governs CDDs. It contains laws on establishing the district, board of supervisors, meetings, budget, general and special powers, waste management, bonds, assessments, bids, and revenues.

SOPOA: Chapter 720 of the Florida Statutes governs HOAs (e.g. SOPOA). It contains laws on HOA powers & duties, board meetings, minutes, records, budgets, board of directors, meetings, architectural control covenants, fines, and assessments.

Meetings

The CDD and SOPOA both have regularly scheduled monthly meetings at the clubhouse. The date and times are posted on www.sevenoakslife.com and on the marquee at the clubhouse. Periodically, the regular meeting date listed below has to be changed, so check the website or marquee before going to a meeting.

CDD: Meets on the second Wednesday at 6:30 p.m.

SOPOA: Meets on the fourth Thursday at 6:30 p.m.

Management Companies

The CDD and SOPOA both have management companies.

CDD: The CDD Board contracted Rizzetta & Company to manage the district. They charge a fee for administrative services, district management, financial consulting services, accounting services and monthly landscape inspections. Their fee is all inclusive. For example, they do not charge extra for mailings to homeowners.

SOPOA: SOPOA contracts with Associa Gulf Coast to manage 1,988 houses/lots in 25 neighborhoods. This does not include Colonial Grand apartments, Windsor Club condos, and Silverleaf townhomes). Associa's basic fee is not all inclusive as they charge extra for mailings, processing assessment payments, etc. Their services includes:

1. Houses/lot inspections to ensure they are in compliance with Declaration of Covenants, Conditions and Restrictions. Examples of violations would be yards that need mowing, sidewalks that need edging, weeds in yards, dirt/mildew on driveways/houses, etc.

2. Processes request by homeowners to modify the exterior of their home or the landscaping on their lot. Examples could include installing a pool, painting exterior of house, adding a fence, replacing trees/shrubs/sod, (any appearance change) etc.
3. Inspect completed architectural modifications monthly to verify compliance.
4. Collect annual assessments and fines.

Enforcement Powers

The CDD does not have enforcement powers to collect assessments, but SOPOA does have them.

CDD: Since Pasco County collects the assessments, Pasco County has the enforcement power. Their process of collection can lead to foreclosure on the house.

SOPOA: Has the power to foreclose on a house if assessments are not paid.

Attorney

The CDD and SOPOA both have attorneys.

CDD: The CDD uses the Straley and Robin Law Firm.

SOPOA: The law firm for SOPOA is Bush Ross. Since legal advice is not required for most issues at SOPOA meetings, an attorney does not attend. When a legal issue does arise, either the property manager from Associa Gulf Coast or the SOPOA President contacts the law firm.

Engineer

The CDD uses an engineering firm but SOPOA does not.

Employees

The CDD has both full time and part time employees in contrast to SOPOA which does not have employees.

Contractors

Both the CDD and SOPOA use contractors.

Committees

The CDD and SOPOA uses committees.

CDD: Does not have any standing committees but does use ad hoc committees for tasks such as selecting a club manager, reviewing clubhouse rules, etc.

SOPOA: Has standing committees such as a Design Review Committee to review architectural modification requests and a fining committee, but does not use ad hoc committees.

Assessments

The CDD & SOPOA each have assessments.

CDD: The CDD has the following two assessments that are combined and added to the Pasco County Property Tax bill sent to the homeowner in October each year.

1. Operating and Maintaining (O&M): This assessment is to operate and maintain the common areas. This fee will change each year based on the expenses. The rates are different for apartments/condos, townhomes, and single family homes. The single family assessments are based on lot size.
2. Debt Services Assessment: Each homeowner has a Debt Services Assessment to pay off one of three 30 year bonds used to build the infrastructure (e.g. roads, clubhouse, water management system) at Seven Oaks. Where the O&M assessments change, the amount of this assessment does not change unless a bond is refinanced. The Debt Service assessments also vary for apartments, townhomes, and single family.

SOPOA: The SOPOA basic annual assessment is the same for all Seven Oaks homeowners in the 25 neighborhoods. The homeowners in gated neighborhoods have an additional amount added to their assessment to maintain the gates.

SOPOA is not responsible for Silverleaf, Colonial Grand, and Windsor Club. Each year in September, the SOPOA property manager sends all the homeowners a bill for their assessment which must be paid by October 15 or SOPOA will start the preliminary foreclosure process.

Board of Directors

The CDD and SOPOA each have a Board.

CDD: State Statute 190.006, paragraph (1) states, "The Board shall consist of five members." In June, prior to the general election in November on even number years, people can become candidates for the four year term seats that expire on the CDD Board. To provide continuity, the term of two seats expire in November of one election year and two years later the terms of the remaining three seats expire. When elections occur, the candidates appear on the November ballot. Unless declined, CDD Board members are compensated as outlined in Florida Statue.

SOPOA: The Bylaws of SOPOA in Section 3.2 state, "The affairs of the Association shall be governed by a Board of Directors consisting of seven (7) members." The Directors are elected for two year terms. To provide continuity, the terms of four Directors expire in September of one year and the terms of the remaining three Directors in September the following year. The Bylaws have very detailed procedures for the election process. SOPOA Board members are not compensated.