

From the Desk of Attorney Tom Slaten

APV BULK CABLE SERVICES

Question: Did APV sign up for bulk cable and Internet services?

Answer: Yes, APV approved and signed a bulk cable and Internet service agreement with Charter Communications. The contract was approved at the February 10, 2021 Board meeting.

Question: Why did APV sign up for bulk cable and Internet services?

Answer: Based on APV's research, most homeowners will save money paying bulk as opposed to retail prices for their cable and Internet.

Question: Can APV sign a bulk cable agreement that provides cable and Internet services to its homeowners and residents?

Answer: Yes. Section 720.309, Florida Statutes gives the board of directors of any homeowners' association the power to enter into a bulk cable agreement. Section 720.309(2), Florida Statutes states in part, "If the governing documents do not provide for such services, the board may contract for the services, and the cost shall be deemed an operating expense of the association."

Question: Can APV include the cable charge as part of its homeowner assessments?

Answer: Yes. Section 720.309(2), Florida Statutes says the cost of bulk cable "shall be deemed an operating expense of the association." The charge will be the same for each home, meaning everyone will be assessed the same amount.

Question: Can homeowners opt out?

Answer: Some homeowners can opt out. Section 720.309(2)(b), Florida Statutes identifies two groups who can opt out.

- (1) A legally blind or hearing-impaired owner who does not live with a non-hearing impaired or blind person.
- (2) An owner who receives some types of supplemental security income from Social Security or food assistance.

Question: If I don't already have Spectrum can I keep my own services?

Answer: Nothing prevents a homeowner or resident from paying for other services. However, they will still pay for Charter's services even if they are not used.